IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

DANIEL OWEN, KAYLA OWEN AND
SAIF NABER, A MINOR, BY AND
THROUGH HIS GUARDIANS
DANIEL OWEN AND KAYLA OWEN

PLAINTIFFS

VERSUS

CAUSE NO. A2402-17-161

HUNT SOUTHERN GROUP, LLC FKA
FOREST CITY SOUTHERN GROUP, LLC,
FOREST CITY RESIDENTIAL MANAGEMENT, LLC,
HUNT MH PROPERTY MANAGEMENT, LLC,
UNKNOWN JOHN AND JANE DOES A THROUGH M, AND
OTHER UNKNOWN CORPORATE ENTITIES N THROUGH Z

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF HARRISON

TO: **Hunt MH Property Management, LLC**
c/o Registered Agent
Capitol Corporate Services, Inc.
248 E. Capitol Street, Suite 840
Jackson, Mississippi 39201
OR WHEREEVER THEY MAY BE FOUND

NOTICE TO DEFENDANT(S)

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to **Rushing & Guice, P. L. L. C.**, the attorneys for Plaintiffs, whose address is **Post Office Box 1925, Biloxi, Mississippi 39533-1925** and whose street address is **1000 Government Street, Suite E, 2nd Floor, Ocean Springs, Mississippi 39564**. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a Judgment by default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, on this the 22nd day of December, 2017.

CIRCUIT COURT OF HARRISON COUNTY
(SEAL)
MISSISSIPPI

Connie Ladner Clerk

BY: Christie Kemp D.C.

EXHIBIT
tabbies
A

COPY

FILED
DEC 2 2 2017
CONNIE LADNER
CIRCUIT CLERK
BY: D.C.

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DEFENDANTS

COMPLAINT

JURY TRIAL REQUESTED

COME NOW Plaintiffs, Daniel Owen, Kayla Owen and Saif Naber, a minor, by and through his guardians, Daniel Owen and Kayla Owen (Plaintiffs), by and through their attorneys, Rushing & Guice, P.L.L.C., and file this their Complaint against Hunt Southern Group, LLC fka Forest City Southern Group, LLC, Forest City Residential Management, LLC, Hunt MH Property Management, LLC, Unknown John and Jane Does A through M, and Other Unknown Corporate Entities N through Z (Defendants), and for good cause of action, states unto the Court the following, to-wit:

PARTIES

1.

Plaintiff, Daniel Owen ("Daniel"), is an adult citizen of Newport County, Rhode Island residing at 80 Old Beach Road, Newport, Rhode Island.

2.

Plaintiff, Kayla Owen ("Kayla"), is an adult citizen of Newport County, Rhode Island residing at 80 Old Beach Road, Newport, Rhode Island.

3.

Plaintiff, Saif Naber ("Saif"), is the minor child of Daniel and Kayla, his guardians, born February 11, 2011, and is a resident of the State of Rhode Island, residing at 80 Old Beach Road, Newport, Rhode Island.

4.

Defendant, Hunt Southern Group, LLC (Hunt Southern), formerly known as Forest City Southern Group, LLC (Forest City Southern) is a Delaware Limited Liability Company registered to do business in Mississippi. On March 18, 2016, Forest City Southern Group, LLC filed Articles/Certificate of Amendment with the Mississippi Secretary of State, changing its name to Hunt Southern Group, LLC. Hunt Southern fka Forest City Southern may be served through it registered agent, Capitol Corporate Services, Inc., at 248 E. Capitol Street, Suite 840, Jackson, Mississippi 39201. Hunt Southern fka Forest City Southern is believed to be the owner of the property in issue.

5.

Defendant, Forest City Residential Management, LLC (Forest City Residential Management), is an Ohio Limited Liability Company, formally known as Forest City Residential Management, Inc., whose registration in Mississippi was administratively dissolved on November 30, 2016. Forest City Residential Management may be served with process by serving its registered agent for process, FCE Statutory Agent, Inc., 50 Public Square, Suite 1360,

Cleveland, Ohio 44113. Forest City Residential Management is listed as the agent for Forest City Southern Group on the lease for the property in issue.

6.

Defendant, Hunt MH Property Management, LLC (Hunt MH Property Management), is a Delaware Limited Liability Company, registered to do business in Mississippi and may be served through its registered agent, Capitol Corporate Services, Inc., at 248 E. Capitol Street, Suite 840, Jackson, Mississippi 39201. Based on information and belief, Hunt MH Property Management is the agent of Hunt Southern and has been charged with the maintenance and upkeep of the property in issue.

7.

Other Unknown John and Jane Does A through M are unknown Defendants who may be seasonably supplemented after discovery.

8.

Other Unknown Corporate Entities N through Z are unknown Defendants who may be seasonably supplemented after discovery.

JURISDICTION AND VENUE

9.

Jurisdiction is proper in this Court under Miss. Code Ann. § 9-7-81. Venue is proper in Harrison County as this is the location where the injuries were sustained, where the cause of action accrued. Jurisdiction is also proper pursuant to Miss. Code Ann. § 13-3-57 since Defendants were doing business within the State, made contracts with Plaintiffs, who were residents of Mississippi, those contracts were performed wholly within Harrison County,

Mississippi, Second Judicial District, and the alleged tort was committed against Plaintiffs in Mississippi. Defendants, therefore, should be subjected to the jurisdiction of Mississippi courts.

FACTS

10.

Daniel is a Lieutenant Commander in the United States Coast Guard. In August of 2014 after receiving a routine change of station to Pascagoula, Mississippi, Daniel moved his family to Mississippi. Because the Coast Guard does not maintain housing in Pascagoula, Mississippi, Plaintiffs sought housing through Keesler Air Force Base. Like other military families moving to the area, the military housing assignment for Plaintiffs was controlled by Defendant Hunt Southern fka Forest City Southern.

11.

In August of 2014 Plaintiffs entered into a Military Lease Agreement for military housing in Bayridge Neighborhood located at 908 Vandenburg Drive in Biloxi, Mississippi in the County of Harrison (Subject Property). Plaintiffs moved into the Subject Property in August of 2014. The Subject Property is located in the Bayridge Neighborhood, an exclusive Officers and Senior enlisted Community. Bayridge is comprised of 330 homes and is located on Keesler Air Force Base. At all times mentioned herein, Plaintiffs' home was owned, controlled or managed by one of Defendants.

12.

At the time Plaintiffs entered into the Military Lease Agreement, Bayridge was owned and operated by Forest City Southern and managed through Forest City Residential Management. In 2016, Bayridge was acquired by Hunt Southern and operated or managed through Hunt MH Property Management. Upon information and belief Forest City Southern and

Hunt Southern exercised custody and control over Bayridge and acted as the owners of Bayridge through a fifty year lease initiated by the United States Department of Defense through a program called the Military Housing Privatization Initiative. Essentially, while Defendants own the improvements on the land and maintain custody and control of the property, the United States maintains an ownership interest in the land.

13.

While residing in the Subject Property, Plaintiffs repeatedly reported maintenance concerns involving mold and water damage. Despite Defendants' maintenance technicians reporting that the mold and leaks were resolved, it was learned that the air conditioner ductwork had a sweating problem and that the mold problem was more pervasive. This duct sweating, caused by poorly insulated ductwork, contributed to the mold and water damage throughout the house. Further it has been recently shown that Defendants have taken significant steps to replace the ductwork in many of the houses they operate.

14.

Plaintiffs repeatedly requested that Defendants address mold and leaking problems while they lived in the Subject Property. Rather than addressing the cause of the leaks, Defendants' maintenance technicians cleaned the mold with soap and water. This allowed for the toxic mold to continue flourishing beneath the surface. Although Defendants learned that condensation coming from attic ductwork, nothing was done to repair the moisture problem.

15.

Fraudulent misrepresentations were made to Plaintiffs by Defendants regarding the removal of the mold. Plaintiffs were told that the mold problem had been rectified when in fact the cause of the water damage was not addressed. Throughout the entire time Plaintiffs resided in

the Subject Property, Defendants never replaced the air conditioner filters. Plaintiffs replaced the filters on their own.

16.

In January of 2017, Plaintiffs reported mold in the garage of the Subject Property. Defendants failed to address the request until March when they came out and simply took pictures. The problem continued into June when Plaintiffs noticed that mold had spread from the garage to the kitchen ceiling, dining room ceiling, living room ceiling, and to all air conditioner vents throughout the lower part of the house.

17.

On March 22, 2017, testing was performed on the Subject Property with Mold Test USA. Mold Test USA performed a 52 Point Visual Inspection and tested both outside and inside the Subject Property for mold spores. The reports showed high levels of Aspergillus inside the Subject Property with more being found outside the Subject Property. These elevated levels of toxic mold are well-known for causing serious health concerns. See Mold Test USA Mold Reports attached hereto as **Exhibits "A and B."**

18.

In July of 2017, Defendants visited the Subject Property and took more photos of the mold. Again nothing was done to address the toxic mold throughout the Subject Property. Plaintiffs moved from the Subject Property the next month. Soon after moving, Plaintiffs were informed that the Subject Property was sealed up as a hazmat site due to the mold.

19.

Plaintiffs have obtained information from other military housing families leading them to believe that mold issues such as those experienced in their home were commonplace, having

occurred in other military housing owned and operated by Defendants including others in Bayridge.

20.

As a direct result of the continued exposure to toxic mold located in Plaintiffs' home, all of which was known to Defendants, Plaintiffs have suffered and continue to suffer physical injuries, medical expenses and property damage. Plaintiffs have suffered property loss due to the mold contamination without having been compensated for any of their losses.

21.

The Subject Property is a water damaged building, a residential structure which has been subject to excessive water intrusion from both external and internal water leaks and moisture accumulation. The term "water damaged building" is also used in conjunction with a descriptive term now used by the National Academies of Science, the U.S. Centers for Disease Control, and the World Health Organization, i.e., "damp indoor spaces" and "mold related illness," all of which collectively describe a mixture of biologically generated contaminates known to cause adverse human health effects. Damp Indoor Spaces are now recognized by multiple federal and medical authorities as a public-health problem, contributing to tens of thousands of illnesses across the country and billions of dollars in medical costs.

22.

In this case, Plaintiffs had a certified mold investigator identify excessive mold growth and moisture inside the house, typical of a damp indoor space, both by sampling and visual observation. Aspergillus, known to be a powerful respiratory irritant, was found in the home during the air test. This spore is particularly dangerous, as it is well known to grow in excessive numbers in damp indoor spaces and to release mycotoxins and VOCs, and have toxic impacts of

its own. The tests exceeded all bounds of sampling error and demonstrate the extremely dangerous conditions Plaintiffs are forced to live in.

23.

Defendants, as large, national managers and owners of thousands of apartment and residential units knew full well of the health risks associated with water damaged buildings and mold. Defendants failed to remediate mold in the Subject Property and caused serious injury and property loss to Plaintiffs as a result.

COUNT I

NEGLIGENCE

24.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 23.

25.

Defendants, as owners and/or managers of Bayridge:

A. Failed to provide a reasonably safe premises in accordance with the Military Lease Agreement, which amounted to a breach of the implied warranty of habitability;

B. Negligently failed to pay for relocation expenses;

C. Failed to exercise reasonable care to repair dangerous defective conditions upon notice of their existence by Plaintiffs;

D. Negligently failed to maintain the air conditioning system and ducts in such a way allowing ideal conditions for toxic mold to grow in the Plaintiffs' house, including never replacing the air conditioner filters;

E. Negligently managed and maintained Bayridge;

F. Negligently supervised their employees, agents and/or representatives;

G. Negligently trained and supervised their employees, agents and/or representatives;

H. Negligently inspected Bayridge for dangerous and harmful conditions;

I. Negligently remediated the toxic mold contained in the Subject Property;

J. Knew or should have known that the house contained dangerous levels of toxic mold and did nothing to remedy the toxic mold infestation;

K. Failed to exercise reasonable care to repair dangerous defective conditions, which included the existence of mass amounts of toxic mold in the Subject Property, upon notice of their existence by Plaintiffs;

L. Negligently failed to promulgate warnings to their tenants about the existence of toxic mold and/or the possibility of the development of toxic mold; and

M. Failed to prevent any and all other acts of negligence which may be proven at trial by failing to fulfill its duties to Plaintiffs, thus causing damages which they have suffered.

26.

As a direct and proximate result of the negligence of Defendants, Plaintiffs sustained serious and painful personal injuries, extreme mental and physical pain and suffering, anxiety, anguish and upset, losses and damage to their quality of life, and mental and emotional well-being, property damage, and reasonable and necessary doctor, hospital, medical and related bills and expenses.

COUNT II

GROSS NEGLIGENCE

27.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 26.

28.

At all times mentioned herein, Defendants acted with gross negligence in total disregard of the duties owed to Plaintiffs to the degree that said gross negligence constitutes an intentional act.

29.

As a direct and proximate result of the gross negligence of Defendants, Plaintiffs have suffered injuries as described herein.

COUNT III

BREACH OF CONTRACT

30.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 29.

31.

Defendants breached the Military Lease Agreement entered into with Plaintiffs in August of 2014. The contract was breached for the following reasons:

A. Defendants violated the Implied Covenant of Good Faith and Fair Dealing when they failed to deal fairly and in good faith causing Plaintiffs to not benefit from the contract;

B. Defendants violated the Implied Warranty of Habitability, which is implied in all residential leases, when they leased to Plaintiffs a house that was not fit for human habitation;

C. The negligent management and maintenance of the property led to the moist environment, which is ideal for toxic mold growth;

D. Defendants failed to successfully complete the annual physical maintenance inspection of the property to ensure the house was up to housing maintenance quality standards by finding and repairing moist conditions that existed in the house;

E. Defendants' employees or agents physically inspected the Subject Property after the complaints about toxic mold were made to Defendants and nothing was done to properly remedy the toxic mold infestation;

F. Toxic mold spores were visible in plain sight so that Defendants' employees were able or should have been able to witness toxic mold growing in the houses and still did nothing to remedy the toxic mold infestation; and

G. Defendants failed to honor the lease provision which allows for relocation of the tenant in the event the housing becomes uninhabitable. Further the lease provides that "Owner shall pay the cost of the relocation."

32.

As a direct and proximate result of Defendants' breaching the contract with Plaintiffs and providing an unreasonably dangerous house, Plaintiffs sustained serious and painful, extreme mental and physical pain and suffering, anxiety, anguish and upset, losses and damage to their

quality of life, and mental and emotional well-being, property damage, and reasonable and necessary doctor, hospital, medical and related bills and expenses.

COUNT IV

CIVIL CONSPIRACY

33.

Plaintiffs incorporate herein each and every allegation contained in Paragraphs 1 through 32.

34.

At all times mentioned herein, Defendants operated under an agreement between two or more persons or entities to accomplish the unlawful purpose of concealing dangerous conditions within the Subject Property. Additionally, each Defendant committed overt acts in furtherance of this conspiracy to conceal the dangerous condition causing damage to Plaintiffs.

COUNT V

ALTER EGO

35.

Plaintiffs incorporate herein each and every allegation contained in Paragraphs 1 through 34.

36.

At all times mentioned herein, Defendants, and each of them, inclusive of Unknown John and Jane Does A through M and Unknown Entities N through Z, were authorized and empowered by each other to act, and did so act, as agents of each other, and all of the things herein alleged to have been done by them were done in the capacity of such agency. Defendants disregarded corporate formalities and used the corporate form to commit the aforementioned

malfeasance. Upon information and belief, all Defendants are responsible in some manner for the events described herein and liable to Plaintiffs for the damages they have incurred.

COUNT VI

FRAUDULENT CONCEALMENT

37.

Plaintiffs incorporate herein each and every allegation contained in Paragraphs 1 through 36.

38.

Defendants are guilty of fraudulent concealment which, in accordance with Miss. Code §15-1-67, results in Plaintiffs' cause of action accruing when "such fraud shall be, or with reasonable diligence might have been, first known or discovered." The fraudulent actions of Defendants are:

A. Defendants took affirmative action designed or intended to prevent Plaintiffs from discovering the presence of toxic mold in their home, which affirmative action did in fact work to prevent them from discovering the toxic mold, until such time as action was taken by Plaintiffs to confirm the presence of the toxic mold;

B. Defendants' maintenance technicians repeatedly reported that the toxic mold and leaks were located, repaired and removed when in fact they were not;

C. Defendants did not disclose to Plaintiffs that they knew that toxic mold was a problem in the military housing they owned and managed;

D. Defendants did not disclose to Plaintiffs that they knew that toxic mold had caused serious health problem to residents of military housing they owned and managed; and

E. Defendants did not disclose to Plaintiffs that they knew the military housing they owned and managed suffered from serious construction defects that caused damp indoor spaces making the growth of toxic mold foreseeable.

COUNT VII

INTENTIONAL ENDANGERMENT

39.

Plaintiffs incorporate herein the allegations contained in Paragraphs 1 through 38.

40.

At all times mentioned herein, Defendants' actions were intentional and endangering to Plaintiffs. This included intentionally endangering Plaintiffs by allowing them to live in dangerous housing conditions, intentionally endangering Plaintiffs by allowing the dangerous conditions to persist, intentionally endangering Plaintiffs by failing to remedy the dangerous conditions, and intentionally endangering Plaintiffs by failing to relocate Plaintiffs after the dangerous conditions were discovered.

DISCOVERY RULE

41.

Plaintiffs incorporate herein the allegations contained in Paragraphs 1 through 40.

42.

To the extent that Defendants allege that any of Plaintiffs' claims against them are barred by any statute of limitations, Plaintiffs plead the discovery rule. Plaintiffs suffered from a latent injury, undiscoverable by reasonable means. Plaintiffs neither knew nor should have known that they had been harmed, much less that their harm was caused by the wrongful conduct of

Defendants until such time that was within the limitations period applicable to the claims they have asserted.

CONTINUING TORT

43.

Plaintiffs incorporate herein the allegations contained in Paragraphs 1 through 42.

44.

To the extent that Defendants allege that any of Plaintiffs' claims against them are barred by any statute of limitations, Plaintiffs plead the continuing tort doctrine. Defendants inflicted injury upon Plaintiffs over a period of time by engaging in continuous wrongful conduct which has continued while Plaintiffs continue to live in the Subject Property.

DISABILITY OF INFANCY

45.

Plaintiffs incorporate herein the allegations contained in Paragraphs 1 through 44.

46.

Saif Naber is a minor, tolling the applicable statute of limitations in accordance with the minors savings clause. See Miss. Code Ann. § 15-1-59.

DAMAGES

47.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 46.

48.

As a direct and proximate result of the Defendants' wrongful and negligent conduct, Plaintiffs sustained serious injuries, losses, and damages as follows:

A. Plaintiff, Daniel Owen, sustained serious and painful personal injuries, property damage, extreme mental and physical pain, suffering, anxiety, anguish and upset, losses and damage to his quality of life, and mental and emotional well-being, reasonable and necessary doctor, hospital, medical and related bills and expenses, all of which he should be compensated for;

B. Plaintiff, Kayla Owen, sustained serious and painful personal injuries, property damage, extreme mental and physical pain, suffering, anxiety, anguish and upset, losses and damage to her quality of life, and mental and emotional well-being, reasonable and necessary doctor, hospital, medical and related bills and expenses, all of which she should be compensated for;

C. Plaintiff, Saif Naber, sustained serious and painful personal injuries, property damage, extreme mental and physical pain, suffering, anxiety, anguish and upset, losses and damage to his quality of life, and mental and emotional well-being, reasonable and necessary doctor, hospital, medical and related bills and expenses, all of which he should be compensated for.

PUNITIVE DAMAGES

49.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 48.

50.

At all times mentioned herein, Defendants acted with actual malice and/or gross negligence which evidenced a willful, wanton, or reckless disregard for others, or committed actual fraud, and such actions were so oppressive and overbearing that in order to punish the wrongdoer and deter similar misconduct in the future, Defendants should be subject to punitive

damages consistent with the statutory scheme in the State of Mississippi. Specifically, after considering Defendants' financial condition and net worth, the nature and reprehensibility of Defendants' wrongdoing, Defendants' awareness of the amount of harm being caused, and Defendants' motivation in causing such harm, the duration of Defendants' misconduct and attempts to conceal such misconduct, and Miss. Code Ann. § 11-1-65, Defendants should be subject to punitive damages in an amount to be proven at trial and decided by the jury.

ATTORNEYS' FEES

51.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 50.

52.

Defendants are liable for all reasonable attorneys' fees, costs, and expenses incurred in pursuit of this cause if found liable for punitive damages or fraud.

PRAYER

WHEREFORE, Plaintiffs pray that after due proceedings are had that a Judgment be rendered in favor of Plaintiffs and against Defendants for damages in an amount to be proven at the trial of this cause, said damages including actual damages, compensatory damages and any other such damages to which Plaintiffs may be entitled and which may be proven at the trial of this cause, for a punitive damages amount based on Defendants' financial condition and net worth, for attorneys' fees, for post-judgment interest, or for such other amount consistent with the statutory scheme in Mississippi for the awarding of such damages, for all costs of this cause and for such other relief to which Plaintiffs may be entitled under the premises.

Respectfully submitted,

DANIEL OWEN, KAYLA OWEN AND SAIF NABER, A MINOR, BY AND THROUGH HIS GUARDIANS, DANIEL OWEN AND KAYLA OWEN
PLAINTIFFS

BY: _____

WILLIAM LEE GUICE III
MS BAR # 5059
MARIA MARTINEZ
MS BAR # 9951
RUSHING & GUICE, P.L.L.C.
P. O. BOX 1925
BILOXI, MS 39533
TELEPHONE: (228) 374-2313
FAX: (228) 875-5987
ATTORNEYS FOR PLAINTIFFS

Ed Williams

From: kat.quarles@moldtestusa.com
Sent: Friday, March 17, 2017 12:00 PM
To: Ed Williams
Subject: MTUSA
Attachments: Chain of Custody.pdf

Booking Info		
Booking Date	***Booked by***	***Inspector Assigned***
3/17/2017	Kat Quarles	Ed Williams

Schedule Info		
Schedule Date	***Schedule Time***	***Schedule Day***
3/22/2017	4:00	Wednesday

Customer Information		
Customer Name	***Customer Phone Number***	***Site Ownership***
Rushing and Guice	(228) 374-2313	Owner
Customer address		
908 Vandenburg Dr, Biloxi, MS 39531		

Inspection Info			
Type of Test	***Base Price***	***Expedite***	***Electricity***
Pre	$495.00	No	Yes

Site Contact Info		
Name	***Contact Number***	***Relation to Site***
Kayla Owen	(425) 614-6441	Tenant

Additional Information
Wants 2 air samples and 1 additional tape lift.

Mileage Bonus (if any)
$50.00

AFTER THE JOB, SAME DAY

- Send the samples and fully completed Chain of Custody to the lab

52-Point Visual Inspection

Prepared for	Rushing and Guice			
Site Address	908 Vandenburg Dr			
City	Biloxi	State	MS	Zip 39531
Inspector	Ed Williams			
Date	3/22/2017	Time	4.00 pm	

This inspection for mold or fungi is performed for a fee to visually inspect for signs of a mold like substance, fungi or growth. It may also include air, swab or bulk tests to be performed with their associated lab fees.
A fee is charged per sample. All fees must be paid prior to sending in any samples. Sample tests should be considered at each area that visible evidence is present. Whether this report reveals mold in the building or not, the customer, building owner or potential buyer should consider:

1. Whether or not to have any sample tests performed at any area that was noted in the report.
   - **We always suggest to have a Direct ID Sample for visible microbial growth.**
   - **If someone is sick in your home, we always suggest to have the areas they spend most of their time in to be tested.**

2. Whether or not to hire a qualified mold remediation company or industrial hygienist for further consultation, inspection or corrective procedures, either now, before the lab tests results, or afterwards.

Important: If you do have mold and it must be removed, you are strongly encouraged to obtain the services of a qualified remediation contractor. If a homeowner or contractor unfamiliar with containment, removal and safety practices performs remediation activities, building occupants can be put at elevated health risks and mold may spread to areas that previously had no contamination. Failure to eliminate source(s) of moisture in the building that are allowing mold to flourish will render remediation efforts ineffective.

Client Present	Age of Home	Weather	Exterior Temp
Karina	8/15	Sunny	86°

OUTSIDE

1	Is there standing water in the yard?	Yes ☐	No ☒
2	Does the land slope towards the home or building?	Yes ☐	No ☒
3	Are gutters present?	Yes ☒	No ☐
4	Are downspouts present?	Yes ☒	No ☐
5	Is there vegetation against house or building?	Yes ☐	No ☒

Comments: (Note anything visible)

No extensions on downspouts
Microbial Growth Right Rear Eave

ROOF (Do not climb onto roof)

6	Are there missing or broken shingles?	How many?	Yes ☒	No ☒
7	Are the shingles older than 10 years?		Yes ☐	No ☒
8	Are any flanges around the vents loose?		Yes ☐	No ☒
9	Is any flashing loose?		Yes ☐	No ☒

Comments: (Note anything visible)

None

Foundation Type

10	Basement ☐	Crawl ☐	Slab ☒

Basement

11	Is there a dehumidifier in place?	Yes ☐	No ☒
12	Are there any carpeted areas?	Yes ☐	No ☒
13	Is there a sump pump?	Yes ☐	No ☒

Comments:

None

Crawl Space (Enter only if safe to do so)

14	Are there any leaks?	Yes ☐	No ☒
15	Is there microbial growth?	Yes ☐	No ☐
16	Is there a vapor barrier?	Yes ☐	No ☐
17	Is the vapor barrier totally sealed and intact?	Yes ☐	No ☐
18	Is the crawl space totally encapsulated?	Yes ☐	No ☐
19	Is there room for you to crawl?	Yes ☐	No ☐
20	Is there any rot?	Yes ☐	No ☐
21	Is the insulation intact?	Yes ☐	No ☐
22	Is the insulation wet?	Yes ☐	No ☐
23	Is the duct work intact?	Yes ☐	No ☐
24	Any condensation around the ducts?	Yes ☐	No ☐
25	Are the floor joists intact?	Yes ☐	No ☐
26	Is there a dehumidifier in place?	Yes ☐	No ☐
27	Are any vents blocked off?	Yes ☐	No ☒

Comments:

N/A

INSIDE

Microbial Activity

30	Any Microbial Activity? (e.g., carpet, drapes, walls, ceilings, cabinets, etc.)	Yes ☒	No ☐
31	Is there a musty odor present?	Yes ☐	No ☒
32	Are there any water marks?	Yes ☐	No ☒

Comments:

30 GARAGE CEILING

Attic

33	Anything suspicious? (including lack of proper ventilation)	Yes ☒	No ☐

**DUE TO LIABILITY, WE DO NOT GO INTO THE ATTIC UNLESS THERE IS A SUSPECTED AREA OF CONCERN.

Comments:

POWER ROOF VENT (DEPRESSIVE (FAN))

Kitchen and Laundry

34	Is the dryer ventilation intact?	Yes ☒	No ☐
35	Are there any leaks behind the washer?	Yes ☐	No ☒
36	Are there any leaks under or behind refrigerator?	Yes ☐	No ☒
37	Are there any leaks under kitchen sink?	Yes ☐	No ☒

Comments:

N/A

Bedroom/Office(s)

		R01 Master Bedroom		R02 Bedroom 2	
**Indicate Name of Bedroom/offices					
38	Any microbial activity around windows?	Yes ☐	No ☒	Yes ☐	No ☒
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☒	Yes ☐	No ☒
40	Are HVAC vents clean?	Yes ☒	No ☐	Yes ☒	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☒	Yes ☐	No ☒
		R03 Bedroom 3		R04 Storage Rm	
**Indicate Name of Bedroom/offices					
38	Any microbial activity around windows?	Yes ☐	No ☒	Yes ☐	No ☒
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☒	Yes ☐	No ☒
40	Are HVAC vents clean?	Yes ☒	No ☐	Yes ☒	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☒	Yes ☐	No ☒
		R05 Dining Room		R06 Living Room	
**Indicate Name of Bedroom/offices					
38	Any microbial activity around windows?	Yes ☐	No ☒	Yes ☐	No ☒
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☒	Yes ☐	No ☒
40	Are HVAC vents clean?	Yes ☒	No ☐	Yes ☒	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☒	Yes ☐	No ☒
		R07 Family Room		R08	
**Indicate Name of Bedroom/offices					
38	Any microbial activity around windows?	Yes ☐	No ☒	Yes ☐	No ☐
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☒	Yes ☐	No ☐
40	Are HVAC vents clean?	Yes ☒	No ☐	Yes ☐	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☒	Yes ☐	No ☐
		R09		R10	
**Indicate Name of Bedroom/offices					
38	Any microbial activity around windows?	Yes ☐	No ☐	Yes ☐	No ☐
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☐	Yes ☐	No ☐
40	Are HVAC vents clean?	Yes ☐	No ☐	Yes ☐	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☐	Yes ☐	No ☐
		R11		R12	
**Indicate Name of Bedroom/offices					
38	Any microbial activity around windows?	Yes ☐	No ☐	Yes ☐	No ☐
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☐	Yes ☐	No ☐
40	Are HVAC vents clean?	Yes ☐	No ☐	Yes ☐	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☐	Yes ☐	No ☐

Comments:

Bathroom(s)

**If more than 2 bathrooms, please describe in comment section

		Bathroom 1 MASTER		Bathroom 2 DOWNSTAIRS	
42	Exhaust fan(s) present and getting proper suction?	Yes ☒	No ☐	Yes ☒	No ☐
43	Any leaks under the sink?	Yes ☐	No ☒	Yes ☐	No ☒
44	Are all bathtub seals intact?	Yes ☒	No ☐	Yes ☒	No ☐
45	Are there any leaks around the bathtub?	Yes ☐	No ☒	Yes ☐	No ☒
46	Any leaks around hot the water heater?	Yes ☐	No ☐	Yes ☐	No ☐

Comments:

46 WATER HEATER NOT ACCESSIBLE

HALF bath

42. YES

43. NO

44. N/A

45. N/A

HVAC

47	Is there a return vent?	Yes ☒	No ☐
48	Is any furniture sitting on top or blocking HVAC registers?	Yes ☐	No ☒

Comments: (Note condition of return and ducts)

RETURNS ARE CLEAN & DUCTS show NO signs of condensation or MICROBIAL GROWTH.

Relative Humidity Indoors

49. Readings /Comments:

DOWNSTAIRS: 56% @ 80°

UPSTAIRS: 57% @ 78°

GARAGE: 62% @ 88°

Moisture Indoors

50. Readings /Comments:

DOWNSTAIRS: WALLS - 11% FLOOR - 7%

UPSTAIRS: WALLS - 10% FLOOR - 8%

GARAGE: CEILING 8-9%

Do You Recommend Remediation? Yes [X] No [ ] Possibly [ ]

49. Explanation:

GARAGE CEILING - Visible MICROBIAL GROWTH (ABOVE)

Issues of Concern

50. Comments:

① Missing Downspout Extension
② Microbial Growth - Garage Ceiling
③ Microbial Growth - Ext rear right siding above eave.
④ Power Attic Fan inoperative

51. Recommended Preventative Measures:

Install Downspout Extensions
Pressure Wash / Treat Exterior of house
Repair Attic Fan

Inspector Recommends These Areas to Test

52. ***We always recommend a Tape Lift Sample for anything visual that appears to be microbial.***

- GARAGE CEILING

THE NEXT STEPS IN OUR PROCESS

1. Your lab analysis and your 52 Point Inspection will be sent to your email within 3 to 5 business days. If you expedited your results, you will receive them within 1 to 2 business days. *Weekends and holidays are excluded. If the job was on a late Thursday, Friday or on a Saturday, results will be available on Tuesday. FedEx does not deliver our mold sample packages to the lab on weekends or on holidays.

2. You will receive a call from Newton Microbial Laboratory within 1 to 2 business days after youreceive your reports to go over your lab analysis.

3. You will receive a call from Mold Test USA for recommendations and to answer any questions you may have.
   ***If you are left a message, do not receive your reports during this time period or have any questions, please call Mold Test USA. We thank you for your business!**

Please call the office before sampling. Thank you!
877-554-6653 (Office Hours 9am-7pm EST, MON-FRI)
Our customer spoke with N/A at MTUSA.

Please have Customer Initial the following:

I agree to pay $ for the inspection and testing. The inspector completed the 52 Point Inspection and I am satisfied with services rendered. **Initial:**

Signatures

Inspector Signature:  **Date:** 3/23/2017

Customer Signature: **Date:**

Would you like Mold Test USA to recommend professionals to give you estimates on needed repairs? Yes No

I do not wish to have a written protocol at this time. If I choose to have protocol written at a later date and it exceeds 7 days, Mold Test USA will need to retest in order to have a properly written protocol.

Inspector Signature:  **Date:** 3/23/2017

Customer Signature: **Date:**

Mold Test USA Customer Agreement

Property Address: 908 Vandenburg Drive Biloxi, Ms 39531

The inspector recommends, and you agree, that the following areas be sampled:

Location of sample	Type of Sample (circle)	# of samples in area	PRICING Base Rate: $495.00 (includes 2 samples) Additional samples: $85 ea.
1. O/S - Front Yard	(Air)/Swab/Tape/bulk material	1	—
2. GARAGE	(Air)/Swab/Tape/bulk material	1	—
3. GARAGE - Ceiling	Air/Swab/(Tape)/bulk material	1	85.00
4.	Air/Swab/Tape/bulk material		
5.	Air/Swab/Tape/bulk material		
6.	Air/Swab/Tape/bulk material		
7.	Air/Swab/Tape/bulk material		
8.	Air/Swab/Tape/bulk material		
9.	Air/Swab/Tape/bulk material		
10.	Air/Swab/Tape/bulk material		

The inspector suggested the following areas below to be tested in which you chose not to have tested.

_____

_____ **Customer Initials** _____

EXPEDITED? YES (NO) (circle) Waived Fee _____ Expedited Amount: $ _____

Total Price for services rendered: $ 580.00

Payment Method: _____ **Transaction ID:** _____

THE 52 POINT INSPECTION, CUSTOMER AGREEMENT, AND RESULTS DO NOT CONSTITUTE A WARRANTY, AN INSURANCE POLICY, OR A GUARANTEE OF ANY KIND; NOR DOES IT SUBSTUTUTE FOR ANY DISCLOSURE STATEMENT AS MAY BE REQUIRED BY LAW.

Mold Test USA or the inspector is not anyway held responsible or liable for the results of the inspection and/or sampling. If you choose any form of litigation against Mold Test USA or the inspector, you hereby agree the amount of our liability will not exceed the cost of the inspection and testing. Also, if you choose to write any negative reviews or slander Mold Test USA or the inspector in anyway, we reserve the right to receive compensation for all damages incurred.

Mold Test USA only performs mold inspections and sampling. We do not write Protocol, nor do we perform remediation work.

Confidentiality: The inspection and testing is done for your benefit and use. The results analyst, a biologist from Newton Microbial Laboratory, will be calling you to go over the results with you and give you recommendations for your next step. If cleaning, removal or remediation is needed, Mold Test USA may be able to refer you to a certified, licensed and insured remediation company that follows proper protocol. All remediation companies are independent from Mold Test USA and does not reflect on Mold Test USA. By initialing here, this allows Mold Test USA to release your results and information for you to have a free estimate for services suggested to no more than three companies. **Customer Initials** _____

Applicable Law. This Agreement, its validity, enforceability and the construction and interpretation of its terms and provisions shall all be in accordance with the applicable laws of the State of South Carolina. No claim, demand, action, proceeding, arbitration, litigation, hearing, motion or lawsuit arising here from or with respect to the rights and obligations created hereunder shall not be commenced or prosecuted in any jurisdiction other than the State of Carolina. The parties hereto hereby consent and stipulate to the jurisdiction of the Circuit and County Courts of Richland County, South Carolina.

By signing below, you acknowledge that you have read, understand, and agree to the terms and conditions of this agreement, including (but not limited to) the limitations of liability, arbitration clause and limitation period, and agree to pay the fee listed in the box above.

_____ _____ _____ 3/23/2017

Customer's Signature **Date** **Inspector's Signature** **Date**

877-554-6653 admin@moldtestusa.com **Mon-Fri 9am-7pm EST**

Chain of Custody

Newton Microbial Laboratory

1101 1st Street South, Suite C
Columbia, SC 29209
877-628-6944
info@newtonlaboratory.com

Company Information

Company Name	Street Address	City	State	Zip
Mold Test USA	1101 1st Street South EXT., Ste. B	Columbia	SC	29209

Phone Number	Email Address	Collected by	Collected Date
803-776-0562	admin@moldtestusa.com	Ed Williams	3/23/2017

Test Site Information

Property/Customer Name	Street Address	City	State	Zip
Rushing and Guice	908 Vandenburg Dr	Biloxi	MS	39531

Weather Condition: Select Any Applicable Choice/s

(●) Sunny Skies ( ) Cloudy Skies ( ) Fog ( ) Rain ( ) Freezing Rain and/or Sleet ( ) Snow ( ) Thunderstorm ( ) Windy Days ( ) Very Warm and Humid ( ) Very Cold and Dry ( )

Known Health Issue/s, If Any

( ) Sneezing and coughing ( ) Nasal congestion ( ) Sore throat ( ) Irritated skin ( ) Sore eyes ( ) Sinus problems ( ) Breathing difficulty ( ) Dizziness ( ) Headaches ( ) Trouble concentrating ( ) Feeling faint

( ) Hair loss ( ) Diarrhea ( ) Fatigue ( ) Nausea ( ) None

Priority Level: ( ) Expedited ( ) Standard

Sample ID	Sample Location	Flow Rate	Flow Time	Sample Type	Background Debris: Pollen, Fiber, Dander Plus	Note
S #1	O/S - FRONT YARD	15 LPM	10 MIN	AIR		
S #2	GARAGE	15 LPM	10 MIN	AIR		
Sample #3	GARAGE - CEILING	—	—	TAPE		

*Air Samples ** Surface Samples

Sample Type	TAT (Turnaround Time)	Description
Air	24 Hours	Identification & Enumeration of Fungal Spores
Tape	24 Hours	ID and Semi-quantative Enumeration of spores
Swab	24 Hours	ID and Semi-quantative Enumeration of spores
Bulk	24 Hours	ID and Semi-quantative Enumeration of spores
Culture	7 Days	Identification & Enumeration of Mold Only

Sampling recommendations sourced from each cassette's respective manufacturer

Cassette Brand	Sample Flow Rate	Outdoor Sample	Clean Indoor	Occupied Indoor	Heavy Dust Indoor	Inner Wall
Air-O-Cell®	15 LPM	10 minutes	10 minutes	5 minutes	1 minutes	1 minutes
Allergenco-D	15 LPM	1-10 minutes	5-10 minutes	3-5 minutes	1-3 minutes	1-3 minutes
MicroS	5 LPM	8-10 minutes	8-10 minutes	5 minutes	1-3 minutes	1-3 minutes
MoldSnap	5 LPM	8-10 minutes	8-10 minutes	5 minutes	1-3 minutes	1-3 minutes
Others	Manufacture Suggested	Manufacture Suggested	Manufacture Suggested	Manufacture Suggested	Manufacture Suggested	Manufacture Suggested

Relinquished by (Please Sign & Date) Ed Williams Date 3/23/17

Received by Date

NML-20170327-Rushing and Guice - 908 Vandernburg Dr

Spore Analysis Completed for

USA

1101 1st Street South EXT. Suite B. Columbia, SC 29209
803-776-0562
admin@moldtestusa.com

Collected Date	3/23/2017
Collected Street Address	908 Vandernburg Dr
Collected & Relinquished by	Ed Williams
# of Sample Sent	3
# of Sample Received & Accepted	3
Sample(S) Received & Accepted on	03/27/2017
Sample(S) Received & Accepted by	Crystal Hernandez
Sample(S) Analyzed on	03/27/2017
Sample(S) Analyzed by	Crystal Hernandez
Report Approved by	Janna Komorowski
Report/Test Tpye	**Standard**

tabbies EXHIBIT B

Spore Analysis Completed by

Janna Komorowski
Laboratory Director, B.A in Biological Sciences

Newton
Laboratory

Crystal Hernandez
Operations Director, B.A in Biology

1101 1st Street South EXT Suite C, Columbia SC 29209

Newton
Laboratory

Newton Report ID
20170327 Rushing and Guice - 908 Vandernburg Dr.xlsm

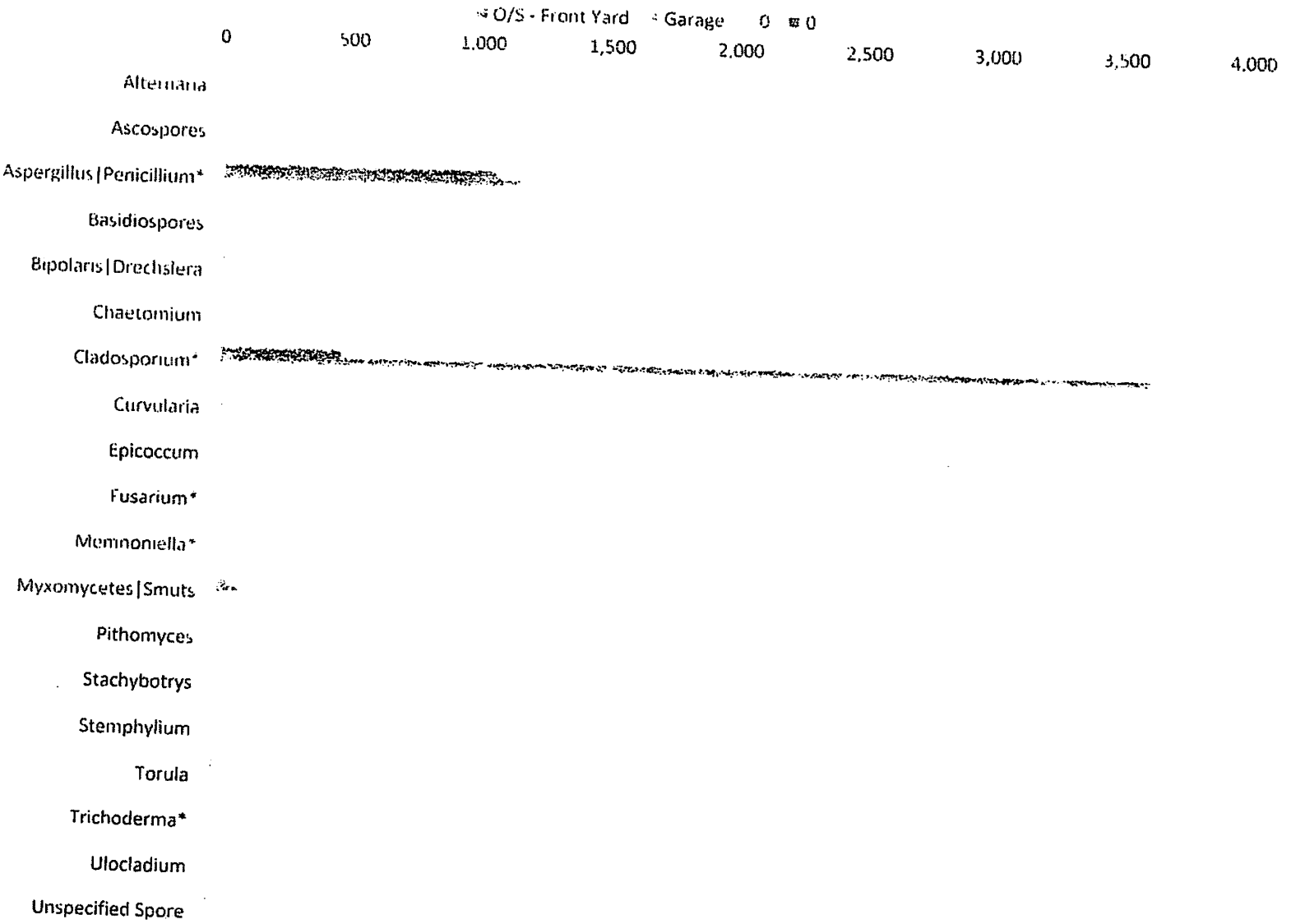
Property/Customer Name	Site Street Address	Site City	Site State	Site Zip
Rushing and Guice - 908 Vandernburg Dr	908 Vandernburg Dr	Biloxi	MS	39531

Company Email	Company Phone Number	Date Collected	Date Received
	803-776-0562	3/23/2017	03/27/2017

Company Address	Company Name	Sample Collected by	Date Analyzed
1101 1st Street South EXT. Suite B, Columbia, SC 29209	Mold TEST USA	Ed Williams	03/27/2017

Newton ML Sample ID	CAE20170327007S001AS	CAE20170327007S002AS																
Sample Name/Location	O/S - Front Yard	Garage																
Volume (L)	150	150																
Background	2	2																
Analyt. Sensitivity 100X (Cts/M³)	7	7																
Analyt. Sensitivity 400X* (Cts/M³)	13*	13*																
Sample Type	Spore Trap	Spore Trap																
Organism	Counted	Cts/M³	% of Total	Counted	Cts/M³	% of Total												
Alternaria	Not Detected			Not Detected														
Ascospores	2	13	0.81%	Not Detected														
Aspergillus|Penicillium*	83	1,062	64.68%	90	1,152	23.53%												
Basidiospores	1	7	0.41%	Not Detected														
Bipolaris|Drechslera	2	13	0.81%	2	13	0.27%												
Chaetomium	Not Detected			1	7	0.14%												
Cladosporium*	37	474	28.83%	282	3,610	73.74%												
Curvularia	Not Detected			2	13	0.27%												
Epicoccum	1	7	0.41%	Not Detected														
Fusarium*	Not Detected			Not Detected														
Memnoniella*	Not Detected			Not Detected														
Myxomycetes|Smuts	7	47	2.84%	14	93	1.91%												
Pithomyces	Not Detected			Not Detected														
Stachybotrys	Not Detected			Not Detected														
Stemphylium	Not Detected			Not Detected														
Torula	2	13	0.81%	1	7	0.14%												
Trichoderma*	Not Detected			Not Detected														
Ulocladium	Not Detected			Not Detected														
Unspecified Spore	1	7	0.41%	Not Detected														
Total	136	1,643	100.00%	392	4,895	100.00%												
Hyphal Fragment	3	20	-	6	40	-												
Spore Trap + Dander*	na		-	na		-												
Spore Trap + Fiber*	na		-	na		-												
Spore Trap + Pollen*	na		-	na		-												
Comments																		
	Color Code	Common Outdoor		Common Indoor			Water Damange Indicator			Elevation/Variance								

Newton Fungal Assessment Report V201611.2



Spore Trap Analysis Explanation

Volume	Flow Rate * Flow Rate Minute
Background	None: Recollect 1: <5% 2: 5% ≤ Background Coverage < 25% 3: 25% ≤ Background Coverage < 70% 4: 70% ≤ Background Coverage < 90% 5: 90% ≤ Background Coverage < 100%, Recollect
Cts/M³	Spore Counts per Cubic Meter
Hyphal Fragment	Fragments of hyphae. Can be an additional indicator of possible mold presences
Unspecified Spore	Less commonly identified spore types, other than those listed on the report
Limit of Detection	1 spore count per coverage examined area
Sample Type	
Spore Count	Spore Trap Cassettes Identification & Enumeration of Fungal Spores
Spore Count+	Spore Trap Cassettes Identification & Enumeration of Fungal Spores + Total Dander, Fiber, and Pollen Count

Spore Trap Analytical Report Method

NML-SAM-1611, adapted from ASTM D7391-9

* Uncertainty available upon request

Newton
Laboratory

Newton Report ID
20170327 Rushing and Guice - 908 Vandernburg Dr.xlsm

Site Name	Site Address Site Address	Site City	Site State	Site Zip
Rushing and Guice - 908 Vandernburg Dr	908 Vandernburg Dr	Biloxi	MS	39531

Company Email	Company Phone Number	Date Collected	Date Received
admin@moldtestusa.com	803-776-0562	3/23/2017	03/27/2017

Company Address	Company Na Company Name	Sample Collected by	Date Reported
1101 1st Street South EXT. Suite B, Columbia, SC 29209	Mold TEST USA	Ed Williams	03/27/2017

Newton ML Sample ID	CAE20170327007S001TS			
Sample Name / Location	Garage - Ceiling			
Sample Type	Direct ID - Tape			

Organism	Category	Trace 1-10	Light 11-100	Med 101-1000	High 1001+			
Alternaria	ND							
Ascospores	ND							
Aspergillus|Penicillium	ND							
Basidiospores	ND							
Bipolaris|Drechslera	ND							
Chaetomium	ND							
Cladosporium	High							
Curvularia	ND							
Epicoccum	ND							
Fusarium	ND							
Memnoniella	ND							
Myxomycetes|Smuts	ND							
Pithomyces	ND							
Stachybotrys	ND							
Stemphylium	ND							
Torula	ND							
Trichoderma	ND							
Ulocladium	ND							
Unspecified Spore	ND							

ND = Not Detected

Hyphal Fragment	Heavy			
Background Debris	Light			
Comments				
Color Code	Common Outdoor	Common Indoor	Water Damage Indicator	Color Code

Direct Identification Explanation

Direct ID

Trace	Spore Count less than 10
Light	Estimated Spore Counts between 11 and 100
Medium	Estimated Spore Counts between 101 and 1000
High	Estimated Spore Counts above 1000

Hyphal Fragment/Background Debris

Not Detected	Not Found in the Sample
Light	Found Traces throughout the Sample
Moderate	Found Some throughout the Sample
Heavy	Found All throughtout the Sample

Unspecified Spore Less commonly identified spore types, other than those listed on the report

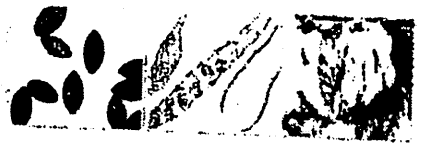
Sample Type

Direct ID-Swab	Swab for ID only	ID and Semi-Quantitative Enumeration of Spores
Direct ID-Swab+	Swab for ID + Spore Count	ID and Enumeration with Spore Count
Direct ID-Tape	Swab for ID only	ID and Semi-Quantitative Enumeration of Spores
Direct ID-Tape+	Swab for ID + Spore Count	ID and Enumeration with Spore Count
Direct ID-Bulk	Swab for ID only	ID and Semi-Quantitative Enumeration of Spores
Direct ID-Bulk+	Swab for ID + Spore Count	ID and Enumeration with Spore Count

Direct Analytical Report Method

NML-SAM-1611

Ascospores



Growth and Distribution

Ascospores refers to spores produced in a sac-like structure known as an ascus (plural asci). These spores are specific to fungi of the phylum Ascomycota. Ascomycota is a broad division containing a large number of genera and individual species. Identification of the genus and/or species based on spore morphology alone is not always possible, therefore these spores are often given the more general classification of "Ascospores" in microscopic analysis.

- Ascospores are found worldwide with prevalence and distribution depending on particular genus and species.
- **Outdoors:** Ascospores are found ubiquitously in outdoor environments; often found on dead and decaying plant material. Many types are known to have pathogenic or parasitic properties in plants.
- **Indoors:** Common substrates include damp building materials such as gypsum or lumber, carpeting, dust, and other organic materials.

Health Effects

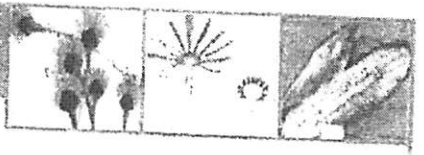
- **Allergen**
  - Ascospores can be allergenic to sensitive individuals, most often producing Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis (Type III). (5)
  - Reactions due to spore inhalation may increase following rain or high humidity. (5)
  - Unlike some fungi which rely on air currents for spore dispersal, ascomycetes are capable of a more active form of spore dispersal that utilizes water droplets to catapult their spores into the air. Various species of Ascospores are known to use this method to liberate spores every single day, regardless of air flow. Subsequently, exposure to ascospores may be more consistent from day to day than exposure to other spores which are only dispersed with adequate air currents. For this reason these spores may be of particular interest in cases of chronic respiratory disease such as asthma and rhinitis (5).
- **Pathogen**
  - Some types can be pathogenic; dependent upon genus and species.
- **Toxins\Metabolites**
  - Vary greatly depending on genus and species.

Found in Sample(s)

AIR	•O/S - Front Yard••••••••••••••
DIRECT	••••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Aspergillus/Penicillium



Growth & Distribution (7):

- Aspergillus & Penicillium are incredibly adaptive and abundant organisms. Their distribution is world-wide with many species possessing abilities to tolerate environmental conditions that challenge other molds (i.e. extreme temperatures & pH levels, restricted water availability and exposure to radiation). Colony growth rates are rapid for many species. Mature colonies are capable of quickly producing large numbers of spores. Because of the morphological similarity of the spores, the two genera are typically grouped together as "Aspergillus-Penicillium."

- **Growth Rate:** Usually Rapid – Mature within 3-4 days; however, some species are slower(6).
- **Water Activity:** Aspergillus: 0.93-0.97 & Penicillium: 0.88 – 0.99 (33, 35)
- **Outdoors:** Both can be found outdoors on a variety of substrates- particularly plant materials such as cereals, grains, decaying wood, and soil (7).
- **Indoors:** Found indoors on organic materials such as wood, textiles, cellulose materials, carpeting, painted surfaces, and food stuffs such as cheeses, butter/margarine meats, breads, fruits and vegetables. Halotolerant species may be found growing on refrigerated foods (7). Penicillium is used in cheese production and is responsible for the veins in blue cheese.

Health Effects

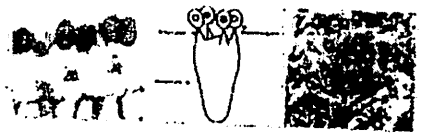
- **Allergen:**
  - Because these spores are so abundant, daily exposure to Aspergillus/Penicillium is very common in both indoor and outdoor environments. Often this exposure occurs without any noticeable reaction or symptoms. However, sensitivities may develop in some instances- especially with prolonged exposure to high spore concentrations. This can result in allergic responses.
  - Spores may progress further into the respiratory system than other common spores due to their small aerodynamic diameter.
  - Penicillium is the mold from which the antibiotic Penicillin was first derived. Penicillin is now made synthetically. It does not contain the mold Penicillium. Allergy to one does not necessarily imply allergy to the other.
- **Pathogen** (6,7):
  - There are approximately 175 species of Aspergillus, only about 20 of which are known to cause disease in humans.
  - Diseases caused by Aspergillus are known as aspergillosis and include invasive infection, colonization, & toxicosis.
  - Certain species of Penicillium are considered pathogens. Infection may occur in skin, blood, bone marrow, internal organs or lymph nodes. (6). In the immunocompromised (particularly HIV patients or those who have recently been in Southeast Asia) I *P. marnefei* can cause severe infection capable of affecting respiratory, lymphatic, and nervous systems.
- **Toxins/Metabolites:**
  - Different species of Aspergillus/Penicillium are associate with an array of mycotoxins and metabolites, some of which are medically significant in humans. The Importance of these toxins can vary from species to species and depends largely on the prevalence of that species.

Found in Sample(s)

AIR	•O/S - Front Yard•Garage••••••••••••
DIRECT	••••••••••••••••

[ ] List of references can be found at http://newtonlaboratory.com/glossary

Basidiospores



Growth & Distribution:

- Basidiospores are spores produced by the division of Fungi known as Basidiomycota. These spores are unique for lacking septation, containing bilateral symmetry, and often having a visible pore at the site of detachment from the basidium (7). This is a large group of organisms consisting of a large number of individual genera & species. Distribution is world-wide with the prevalence in any given area varying for each genus and species. Like ascospores, basidiospores disperse using water droplets. Therefore, airborne spore concentrations are often higher following rain or high humidity. This division includes edible mushrooms.
- **Outdoors:** Basidiospores are found growing on plant material, organic debris, and soil. Many species of basidiospores are known to be plant pathogens.
- **Indoors:** Basidiospores may be found growing on damp materials. Colonies may grow given sufficient access to water (leaks, flooding, high humidity, or surrounding plumbing, heating/air conditioning components, appliances, house plants, etc.).

Health Effects:

- **Allergenic:**
  - Exposure to these spores is commonplace in both indoor and outdoor environments. Nonetheless they are also potentially allergenic. Allergic responses may occur following inhalation, ingestion, or direct contact. Reactions due to inhalation may be increased following rain or high humidity when spore concentrations are often elevated.
  - In sensitive individuals, typically manifest Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)
- **Pathogenic:**
  - Invasion is not typical but can occur, particularly in the immunocompromised or immunosuppressed. These infections can includes sinitus, keratitis, phaeohyphomycosis, & peritonitist.
- **Toxins\Metabolites:**
  - Mycotoxins vary depending on genus and species. They are especially relevant in edible fungi of this division such as mushrooms.
    - Common sources of mushroom poisoning include *Amnito, Lepioto, Coprinus, & Psilocybe*

Found in Sample(s)
AIR •O/S - Front Yard••••••••••••••
DIRECT ••••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Bipolaris/Drechslera

Growth & Distribution:

- Bipolaris, Drechslera, Exserohilum, & Helminthosporium are dematiaceous fungi, producing spores which are elongate, cylindrical, often with numerous septations or cells. These genera are grouped together due to spore similarity. These spores are common in both indoor and outdoor environments. They are found world wide with some species being exceptionally tolerant of dry environments (6).
- **Growth Rate:** Rapid – Mature within 5 days (6)
- **Water Activity:** 0.80 (this is a generalized number for common molds) (26)
- **Outdoors:** These molds are most commonly found on grasses, grains and other plant materials. Bipolaris can be a plant pathogen causing spots, blights, rots, and other symptoms in staple crops like rice, wheat, and sorghum. In the past, plant disease caused by Bipolaris invasion has caused starvation of large human populations. In 1943-1944 the Bengal famine in India was caused by *Bipolaris oryzae* disease in rice. In the 1970s, *Bipolaris maydis* was responsible for a devastating leaf blight resulting in huge losses of corn crops in the USA & UK. (11)
- **Indoors:** These mold may be found on water damaged materials, food stuffs, houseplants, and other organic materials.

Health Effects:

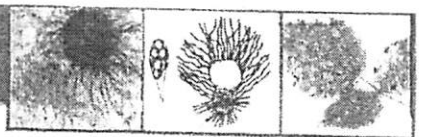
- **Allergenic:**
  - These molds are highly common in both indoor and outdoor environments; most people have some level of exposure on a daily basis.
  - In sensitive individuals can manifest Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)
- **Pathogenic:**
  - Bipolaris (rapid growth – mature within 5 days) can be pathogenic in rare instances, particularly in immunocompromised. May invade bone, cornea (keratomycosis), skin, aorta, lung, central nervous system or cause brain lesions (6).
  - Exserohilum (rapid growth – mature within 5 days) can cause phaeohyphomycosis (infection of mycelia/hyphae of dematiaceous fungi), most commonly in nasal sinuses, skin, subcutaneous tissue, and cornea. Rare reports of fatal disseminated infection (6).
- **Mycotoxins/Metabolites:**
  - Cytochalasin, sporidesmin, sterigmatocystin (7)

Found in Sample(s)

AIR	•O/S - Front Yard•Garage••••••••••••
DIRECT	••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Chaetomium



Growth & Distribution

- Chaetomium is a common mold with worldwide distribution; however, airborne spore concentrations are generally low in outdoor air (1). Identification is usually successful due to unique spore morphology with spores exhibiting a distinctive lemon-shape & olive-brown color. (7) There are approximately 80-150 species described; taxonomic data varies greatly for the genus (1). Some species are thermotolerant or thermophilic (able to tolerate or thrive in high heat). Spores themselves can be highly resistant to dry circumstances and UV radiation (7).

- **Growth Rate:** Rapid – Mature within 5 days (6)
- **Water Activity:** 0.91-0.94 (1)
- **Outdoors:** These molds are found commonly in soil, on plant remains, and on softwood and hardwood timber (where it is known as "soft- rot fungus")(7).
- **Indoors:** These molds are often found on water damaged cellulosic materials such as wood, sheetrock paper, cardboard, wall paper, & textiles. Like many molds, Chaetomium is cellulolytic- it degrades cellulose materials. Growth may result in damage to building materials, paper documents, textiles, etc. (4)

Health Effects:

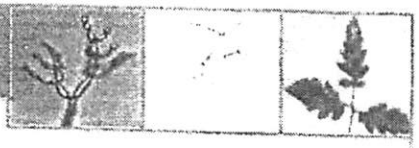
- **Allergen:**
  - Spores of these molds are somewhat less common in the air in but are considered to be allergenic (1).
  - In sensitive individuals, typically manifest Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III)(5).
- **Pathogen:**
  - Very occasionally pathogenic in humans- mostly in the immunocompromised. Reportedly the cause of systemic and cutaneous phaeohyphomycosis (6), onychomycosis (nail infection), peritonitis, cutaneous lesions (2) and extremely rare cases of fatal disseminated cerebral disease in the immunocompromised and intravenous drug users (1).
  - Very rare cases of toenail or fingernail infection in people with normal immunity (2).
- **Toxins/Metabolites:**
  - Include chaetoglobosin, chetomin, chaetochromin, chaetosin, cochliodinol, sterigmatocystin (potentially carcinogenic) (12)
  - Several species do produce mycotoxins when growing on water damaged building materials in specific growth conditions (1).
  - Mycotoxicosis in humans is poorly studied; however, some animals studies have shown contaminated cereals to be toxic and even fatal in animals following ingestion of contaminated feed (1).
  - Toxicosis has been seen in mice spleen, liver, and kidney.(1)

Found in Sample(s)

AIR	••Garage••••••••••••
DIRECT	••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Cladosporium



Growth & Distribution:

- Cladosporium are found in air and soil worldwide. Cladosporium are among the most common airborne fungi (4). Spores are produced in abundance and easily disperse through the air. Extremely common on decaying organic matter. These mold are common plant pathogens. Molds of this genus are dematiaceous with over 40 named species (1).
- **Growth Rate:** Moderately Rapid – Mature within 7 days. (6)
- **Water Activity:** 0.85-0.88 (1)
- **Outdoors:** Cladosporium can be found on food sources such as cereals, fruit, vegetables. Commonly found on dead plants and shrubs in temperate regions. Halotolerant (salt tolerant) species exist. (7) The most common species isolated from plant materials & soils (*C. cladosporiodides*) experiences peak airborne spore concentrations between June/July and September/October in temperate climates (2).
- **Indoors:** Cladosporium can be found on water damaged materials (i.e. plaster, paint, textiles, gypsum, wall paper, wood, moist window sills). May affect food sources such as cheeses, butter/margarine, vegetables, fruits and vegetables(7). Often found on the surface of fiberglass duct liners, in bathroom showers, and on basement walls (2). Some studies have reported Cladosporium in 70% of homes examined in the US & 100% of homes examined in Canada (1).

Health Effects:

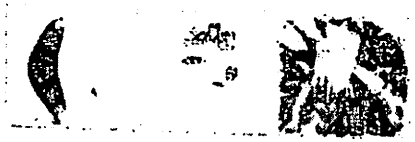
- **Allergen:**
  - Allergic reaction to airborne spores are of particular importance because these spores exist in in such high concentrations in the air. Symptoms may increase during peak concentrations from June-October. Sensitization may occur. (1)
  - In sensitive individuals typically manifest Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)
- **Pathogen:**
  - Is pathogenic in humans very rarely, reported cases include skin lesions, keratitis, onychomycosis, sinusitis, pulmonary infections (1).
- **Mycotoxins/Metabolites:**
  - Cladosporic acid (12)
  - Gibberellin (hormone influencing developmental processes in plants) & ergosterol (precursor to vitamin D2 which may have anti-tumor properties). (1)
  - Toxic effects have been seen in animals (chicken embryos & horses) but not known to be reported in humans to date (1,2).

Found in Sample(s)

AIR	•O/S - Front Yard•Garage••••••••••••
DIRECT	•Garage - Ceiling ••••••••••••••••

{ } List of references can be found at http://newtonlaboratory.com/glossary

Curvularia



Growth & Distribution

- Curvularia is found world-wide with a particular preference for the tropics and warmer climates (7). Spores usually have a unique curved shape caused by an enlarged central cell (2). Airborne spores are common in both indoor and outdoor environments worldwide.

- **Growth Rate:** Moderately rapid - 4 to 12 days (32)
- **Water activity:** 0.80 (this is a generalized number for common molds) (26)
- **Outdoors:** Curvularia is typically seen growing on plant material. They are weakly pathogenic to plants and are the cause of leaf spots, seedling blight, and failing of seedling germination (2).
- **Indoors:** Curvularia may be found growing on materials containing cellulose such as woods and grains. Growth is less frequent indoors but may be seen on food.(7)

Health Effects:

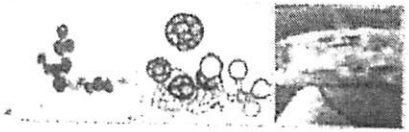
- **Allergen:**
  - Poorly studied but believed to be an allergen and irritant (13).
  - In sensitive individuals typically manifest Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis &allergic sinusitis (Type III). (5)
- **Pathogen:**
  - Believed to cause corneal infections in the immunocompromised (14)
  - Opportunistic infections of cornea and sinuses, nails, subcutaneous tissue, and systemic organs. Dissemination to the brain can occur rarely. (6)
  - Can be causal agent in mycetoma (6):
    - Infections of subcutaneous tissue and skin. Untreated, chronic infections may progress to involve muscle, fascia & bone. Typically seen on the lower leg or foot, rarely disseminated.
    - Fungi enters the skin via wound, a nodule slowly develops into a tumor or abnormal tissue mass beneath the skin, cavities are formed within the mass and discharge occurs.
    - This is a rare condition which is not contagious. (6) Most infections occur in immunocompromised hosts. (2)
- **Toxins/Metabolites:**
  - Some toxins produced- mainly studied in plants.

Found in Sample(s)

AIR	••Garage••••••••••••
DIRECT	••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Epicoccum



Growth & Distribution

- Epicoccum is found worldwide. Spores are large with distinctive, highly septate morphology and dark brown color (7). Spores are dispersed easily by the wind. Airborne concentrations are generally higher on dry, windy days with higher counts occurring later in the day (1). Spores are common in both outdoor and indoor air.

- **Growth Rate:** Moderately Rapid – Mature within 7 days (6)
- **Water Activity:** 0.86-0.90 (1)
- **Outdoors:** Epicoccum is most often found on aging or decaying plants. It is known to invade various parts of dead plants such as the seeds of corn, barley, oats, & wheat as wells as beans and surrounding soil. Can also invade insects. (7)
- **Indoors:** Found on cellulose materials (e.g. gypsum boards, floors, paper, woods, cardboard) and other organic materials (e.g. house plants, dust, and occasionally human skin and sputum(7)).

Health Effects:

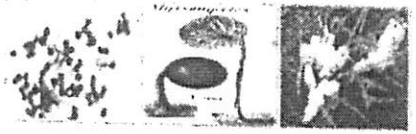
- **Allergen:**
  - Believed to be an important spore in inducing fungi-related respiratory allergy disorders. Increases in outdoor spore concentrations may exacerbate asthma attacks in children.(1)
  - In sensitive individuals, typically manifests Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)

- **Pathogen:**
  - Not believed to be infectious in humans (1).
    - 1 reported case of fatal haematogenous mycosis in a severely immunosuppressed allogenenic hematopoietic stem cell transplant recipient possibly attributed to Epicoccum (1).
- **Toxins/Metabolites:**
  - No toxins or metabolite reported to be harmful to humans.
  - Produces secondary metabolites and mycotoxins which may be useful as biocontrol agents against bacteria, fungi, & viruses (1).
    - E.g. *E nigrum* against *Monilinia* spp. on fruit (7).

Found in Sample(s)
AIR •O/S - Front Yard••••••••••••••
DIRECT ••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Myxomycetes



Growth & Distribution

- Myxomycetes is a large class with approximately 500 individual species and worldwide distribution (25). Interestingly, these organisms are no longer considered to be true fungi like other molds, but have been reclassified as protozoans. These organisms belong to group commonly called "slime molds" that exhibit an amoeba-like stage. Spores are common in both indoor and outdoor environments worldwide (15). Spores can be dispersed by air, arthropods and other animals due to their small size (4 – 20 µm)(25).

- **Growth Rate:** Generally Rapid – Mature within 2 to 4 day; however, specific growth rate does depend on species (24).
- **Water Activity:** 0.80 (this is a generalized number for common molds)(26).
- **Outdoors**
  - Found in soil, decaying plant material (especially damp wood), and dung. Species of Myxomycetes are not as geographically constricted as most organisms; most Myxomycetes species can be found world wide. (15)
- **Indoors**
  - Can be found growing indoors on damp building materials such as cardboard, wallpaper, gypsum board, wood, etc.

Health Effects:

- **Allergen:**
  - These spores are very common in both indoor and outdoor air. They are small, foreign particles which may be inhaled deep into the respiratory system and may cause allergic responses.
  - In sensitive individuals, typically manifests Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)
- **Pathogen:**
  - Unknown
- **Toxins/Metabolites:**
  - Unknown

Founded in Samples(s)
AIR •O/S - Front Yard•Garage••••••••••••
Direct ••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Torula

Growth & Distribution

- Torula is a common mold with worldwide distribution. At least one species is thermophilic (thrives in high heat) (22).

- **Water Activity:** 0.80 (this is a generalized number for common molds)(26).
- **Outdoors**
  - Found in soil and dead or decaying plant matter (grasses, grains, woods, root vegetables). Can be pathogenic in plants (7).
- **Indoors**
  - Spores can be found indoors as a result of normal air exchange with the outdoor environment. Growth indoors is not common but can occur on damp, cellulosic materials such as wood, paper, and cardboard.
- **Health Effects:**
  - **Allergen:**
    - In sensitive individuals, typically manifests Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)
  - **Pathogen:**
    - No known reports in humans
  - **Toxins/Metabolites:**
    - Cytotoxin (12)

Found in Sample(s)

AIR	•O/S - Front Yard•Garage••••••••••••
DIRECT	••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

DANIEL OWEN, KAYLA OWEN AND
SAIF NABER, A MINOR, BY AND
THROUGH HIS GUARDIANS
DANIEL OWEN AND KAYLA OWEN

PLAINTIFFS

VERSUS

CAUSE NO. A2402-2017-161

HUNT SOUTHERN GROUP, LLC FKA
FOREST CITY SOUTHERN GROUP, LLC,
FOREST CITY RESIDENTIAL MANAGEMENT, LLC,
HUNT MH PROPERTY MANAGEMENT, LLC,
UNKNOWN JOHN AND JANE DOES A THROUGH M, AND
OTHER UNKNOWN CORPORATE ENTITIES N THROUGH Z

DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
COUNTY OF HARRISON

TO: **Hunt Southern Group, LLC fka Forest City Southern Group, LLC**
c/o Registered Agent
Capitol Corporate Services, Inc.
248 E. Capitol Street, Suite 840
Jackson, Mississippi 39201
OR WHEREEVER THEY MAY BE FOUND

NOTICE TO DEFENDANT(S)

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to **Rushing & Guice, P. L. L. C.**, the attorneys for Plaintiffs, whose address is **Post Office Box 1925, Biloxi, Mississippi 39533-1925** and whose street address is **1000 Government Street, Suite E, 2nd Floor, Ocean Springs, Mississippi 39564**. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a Judgment by default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, on this the 22nd day of December, 2017.

CIRCUIT COURT OF HARRISON COUNTY
SEAL
MISSISSIPPI

Connie Ladner Clerk

BY: Christi Kerr D.C.

COPY

FILED
DEC 22 2017
CONNIE LADNER
CIRCUIT CLERK
BY: D.C.

IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

DANIEL OWEN, KAYLA OWEN AND SAIF NABER, A MINOR, BY AND THROUGH HIS GUARDIANS, DANIEL OWEN AND KAYLA OWEN

PLAINTIFFS

VERSUS

CAUSE NO. A2402-17-161

HUNT SOUTHERN GROUP, LLC FKA FOREST CITY SOUTHERN GROUP, LLC, FOREST CITY RESIDENTIAL MANAGEMENT, LLC, HUNT MH PROPERTY MANAGEMENT, LLC, UNKNOWN JOHN AND JANE DOES A THROUGH M, AND OTHER UNKNOWN CORPORATE ENTITIES N THROUGH Z

DEFENDANTS

COMPLAINT

JURY TRIAL REQUESTED

COME NOW Plaintiffs, Daniel Owen, Kayla Owen and Saif Naber, a minor, by and through his guardians, Daniel Owen and Kayla Owen (Plaintiffs), by and through their attorneys, Rushing & Guice, P.L.L.C., and file this their Complaint against Hunt Southern Group, LLC fka Forest City Southern Group, LLC, Forest City Residential Management, LLC, Hunt MH Property Management, LLC, Unknown John and Jane Does A through M, and Other Unknown Corporate Entities N through Z (Defendants), and for good cause of action, states unto the Court the following, to-wit:

PARTIES

1.

Plaintiff, Daniel Owen ("Daniel"), is an adult citizen of Newport County, Rhode Island residing at 80 Old Beach Road, Newport, Rhode Island.

2.

Plaintiff, Kayla Owen ("Kayla"), is an adult citizen of Newport County, Rhode Island residing at 80 Old Beach Road, Newport, Rhode Island.

3.

Plaintiff, Saif Naber ("Saif"), is the minor child of Daniel and Kayla, his guardians, born February 11, 2011, and is a resident of the State of Rhode Island, residing at 80 Old Beach Road, Newport, Rhode Island.

4.

Defendant, Hunt Southern Group, LLC (Hunt Southern), formerly known as Forest City Southern Group, LLC (Forest City Southern) is a Delaware Limited Liability Company registered to do business in Mississippi. On March 18, 2016, Forest City Southern Group, LLC filed Articles/Certificate of Amendment with the Mississippi Secretary of State, changing its name to Hunt Southern Group, LLC. Hunt Southern fka Forest City Southern may be served through it registered agent, Capitol Corporate Services, Inc., at 248 E. Capitol Street, Suite 840, Jackson, Mississippi 39201. Hunt Southern fka Forest City Southern is believed to be the owner of the property in issue.

5.

Defendant, Forest City Residential Management, LLC (Forest City Residential Management), is an Ohio Limited Liability Company, formally known as Forest City Residential Management, Inc., whose registration in Mississippi was administratively dissolved on November 30, 2016. Forest City Residential Management may be served with process by serving its registered agent for process, FCE Statutory Agent, Inc., 50 Public Square, Suite 1360,

Cleveland, Ohio 44113. Forest City Residential Management is listed as the agent for Forest City Southern Group on the lease for the property in issue.

6.

Defendant, Hunt MH Property Management, LLC (Hunt MH Property Management), is a Delaware Limited Liability Company, registered to do business in Mississippi and may be served through its registered agent, Capitol Corporate Services, Inc., at 248 E. Capitol Street, Suite 840, Jackson, Mississippi 39201. Based on information and belief, Hunt MH Property Management is the agent of Hunt Southern and has been charged with the maintenance and upkeep of the property in issue.

7.

Other Unknown John and Jane Does A through M are unknown Defendants who may be seasonably supplemented after discovery.

8.

Other Unknown Corporate Entities N through Z are unknown Defendants who may be seasonably supplemented after discovery.

JURISDICTION AND VENUE

9.

Jurisdiction is proper in this Court under Miss. Code Ann. § 9-7-81. Venue is proper in Harrison County as this is the location where the injuries were sustained, where the cause of action accrued. Jurisdiction is also proper pursuant to Miss. Code Ann. § 13-3-57 since Defendants were doing business within the State, made contracts with Plaintiffs, who were residents of Mississippi, those contracts were performed wholly within Harrison County,

Mississippi, Second Judicial District, and the alleged tort was committed against Plaintiffs in Mississippi. Defendants, therefore, should be subjected to the jurisdiction of Mississippi courts.

FACTS

10.

Daniel is a Lieutenant Commander in the United States Coast Guard. In August of 2014 after receiving a routine change of station to Pascagoula, Mississippi, Daniel moved his family to Mississippi. Because the Coast Guard does not maintain housing in Pascagoula, Mississippi, Plaintiffs sought housing through Keesler Air Force Base. Like other military families moving to the area, the military housing assignment for Plaintiffs was controlled by Defendant Hunt Southern fka Forest City Southern.

11.

In August of 2014 Plaintiffs entered into a Military Lease Agreement for military housing in Bayridge Neighborhood located at 908 Vandenburg Drive in Biloxi, Mississippi in the County of Harrison (Subject Property). Plaintiffs moved into the Subject Property in August of 2014. The Subject Property is located in the Bayridge Neighborhood, an exclusive Officers and Senior enlisted Community. Bayridge is comprised of 330 homes and is located on Keesler Air Force Base. At all times mentioned herein, Plaintiffs' home was owned, controlled or managed by one of Defendants.

12.

At the time Plaintiffs entered into the Military Lease Agreement, Bayridge was owned and operated by Forest City Southern and managed through Forest City Residential Management. In 2016, Bayridge was acquired by Hunt Southern and operated or managed through Hunt MH Property Management. Upon information and belief Forest City Southern and

Hunt Southern exercised custody and control over Bayridge and acted as the owners of Bayridge through a fifty year lease initiated by the United States Department of Defense through a program called the Military Housing Privatization Initiative. Essentially, while Defendants own the improvements on the land and maintain custody and control of the property, the United States maintains an ownership interest in the land.

13.

While residing in the Subject Property, Plaintiffs repeatedly reported maintenance concerns involving mold and water damage. Despite Defendants' maintenance technicians reporting that the mold and leaks were resolved, it was learned that the air conditioner ductwork had a sweating problem and that the mold problem was more pervasive. This duct sweating, caused by poorly insulated ductwork, contributed to the mold and water damage throughout the house. Further it has been recently shown that Defendants have taken significant steps to replace the ductwork in many of the houses they operate.

14.

Plaintiffs repeatedly requested that Defendants address mold and leaking problems while they lived in the Subject Property. Rather than addressing the cause of the leaks, Defendants' maintenance technicians cleaned the mold with soap and water. This allowed for the toxic mold to continue flourishing beneath the surface. Although Defendants learned that condensation coming from attic ductwork, nothing was done to repair the moisture problem.

15.

Fraudulent misrepresentations were made to Plaintiffs by Defendants regarding the removal of the mold. Plaintiffs were told that the mold problem had been rectified when in fact the cause of the water damage was not addressed. Throughout the entire time Plaintiffs resided in

the Subject Property, Defendants never replaced the air conditioner filters. Plaintiffs replaced the filters on their own.

16.

In January of 2017, Plaintiffs reported mold in the garage of the Subject Property. Defendants failed to address the request until March when they came out and simply took pictures. The problem continued into June when Plaintiffs noticed that mold had spread from the garage to the kitchen ceiling, dining room ceiling, living room ceiling, and to all air conditioner vents throughout the lower part of the house.

17.

On March 22, 2017, testing was performed on the Subject Property with Mold Test USA. Mold Test USA performed a 52 Point Visual Inspection and tested both outside and inside the Subject Property for mold spores. The reports showed high levels of Aspergillus inside the Subject Property with more being found outside the Subject Property. These elevated levels of toxic mold are well-known for causing serious health concerns. See Mold Test USA Mold Reports attached hereto as **Exhibits "A and B."**

18.

In July of 2017, Defendants visited the Subject Property and took more photos of the mold. Again nothing was done to address the toxic mold throughout the Subject Property. Plaintiffs moved from the Subject Property the next month. Soon after moving, Plaintiffs were informed that the Subject Property was sealed up as a hazmat site due to the mold.

19.

Plaintiffs have obtained information from other military housing families leading them to believe that mold issues such as those experienced in their home were commonplace, having

occurred in other military housing owned and operated by Defendants including others in Bayridge.

20.

As a direct result of the continued exposure to toxic mold located in Plaintiffs' home, all of which was known to Defendants, Plaintiffs have suffered and continue to suffer physical injuries, medical expenses and property damage. Plaintiffs have suffered property loss due to the mold contamination without having been compensated for any of their losses.

21.

The Subject Property is a water damaged building, a residential structure which has been subject to excessive water intrusion from both external and internal water leaks and moisture accumulation. The term "water damaged building" is also used in conjunction with a descriptive term now used by the National Academies of Science, the U.S. Centers for Disease Control, and the World Health Organization, i.e., "damp indoor spaces" and "mold related illness," all of which collectively describe a mixture of biologically generated contaminates known to cause adverse human health effects. Damp Indoor Spaces are now recognized by multiple federal and medical authorities as a public-health problem, contributing to tens of thousands of illnesses across the country and billions of dollars in medical costs.

22.

In this case, Plaintiffs had a certified mold investigator identify excessive mold growth and moisture inside the house, typical of a damp indoor space, both by sampling and visual observation. Aspergillus, known to be a powerful respiratory irritant, was found in the home during the air test. This spore is particularly dangerous, as it is well known to grow in excessive numbers in damp indoor spaces and to release mycotoxins and VOCs, and have toxic impacts of

its own. The tests exceeded all bounds of sampling error and demonstrate the extremely dangerous conditions Plaintiffs are forced to live in.

23.

Defendants, as large, national managers and owners of thousands of apartment and residential units knew full well of the health risks associated with water damaged buildings and mold. Defendants failed to remediate mold in the Subject Property and caused serious injury and property loss to Plaintiffs as a result.

COUNT I

NEGLIGENCE

24.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 23.

25.

Defendants, as owners and/or managers of Bayridge:

A. Failed to provide a reasonably safe premises in accordance with the Military Lease Agreement, which amounted to a breach of the implied warranty of habitability;

B. Negligently failed to pay for relocation expenses;

C. Failed to exercise reasonable care to repair dangerous defective conditions upon notice of their existence by Plaintiffs;

D. Negligently failed to maintain the air conditioning system and ducts in such a way allowing ideal conditions for toxic mold to grow in the Plaintiffs' house, including never replacing the air conditioner filters;

E. Negligently managed and maintained Bayridge;

F. Negligently supervised their employees, agents and/or representatives;

G. Negligently trained and supervised their employees, agents and/or representatives;

H. Negligently inspected Bayridge for dangerous and harmful conditions;

I. Negligently remediated the toxic mold contained in the Subject Property;

J. Knew or should have known that the house contained dangerous levels of toxic mold and did nothing to remedy the toxic mold infestation;

K. Failed to exercise reasonable care to repair dangerous defective conditions, which included the existence of mass amounts of toxic mold in the Subject Property, upon notice of their existence by Plaintiffs;

L. Negligently failed to promulgate warnings to their tenants about the existence of toxic mold and/or the possibility of the development of toxic mold; and

M. Failed to prevent any and all other acts of negligence which may be proven at trial by failing to fulfill its duties to Plaintiffs, thus causing damages which they have suffered.

26.

As a direct and proximate result of the negligence of Defendants, Plaintiffs sustained serious and painful personal injuries, extreme mental and physical pain and suffering, anxiety, anguish and upset, losses and damage to their quality of life, and mental and emotional well-being, property damage, and reasonable and necessary doctor, hospital, medical and related bills and expenses.

COUNT II

GROSS NEGLIGENCE

27.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 26.

28.

At all times mentioned herein, Defendants acted with gross negligence in total disregard of the duties owed to Plaintiffs to the degree that said gross negligence constitutes an intentional act.

29.

As a direct and proximate result of the gross negligence of Defendants, Plaintiffs have suffered injuries as described herein.

COUNT III

BREACH OF CONTRACT

30.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 29.

31.

Defendants breached the Military Lease Agreement entered into with Plaintiffs in August of 2014. The contract was breached for the following reasons:

A. Defendants violated the Implied Covenant of Good Faith and Fair Dealing when they failed to deal fairly and in good faith causing Plaintiffs to not benefit from the contract;

B. Defendants violated the Implied Warranty of Habitability, which is implied in all residential leases, when they leased to Plaintiffs a house that was not fit for human habitation;

C. The negligent management and maintenance of the property led to the moist environment, which is ideal for toxic mold growth;

D. Defendants failed to successfully complete the annual physical maintenance inspection of the property to ensure the house was up to housing maintenance quality standards by finding and repairing moist conditions that existed in the house;

E. Defendants' employees or agents physically inspected the Subject Property after the complaints about toxic mold were made to Defendants and nothing was done to properly remedy the toxic mold infestation;

F. Toxic mold spores were visible in plain sight so that Defendants' employees were able or should have been able to witness toxic mold growing in the houses and still did nothing to remedy the toxic mold infestation; and

G. Defendants failed to honor the lease provision which allows for relocation of the tenant in the event the housing becomes uninhabitable. Further the lease provides that "Owner shall pay the cost of the relocation."

32.

As a direct and proximate result of Defendants' breaching the contract with Plaintiffs and providing an unreasonably dangerous house, Plaintiffs sustained serious and painful, extreme mental and physical pain and suffering, anxiety, anguish and upset, losses and damage to their

quality of life, and mental and emotional well-being, property damage, and reasonable and necessary doctor, hospital, medical and related bills and expenses.

COUNT IV

CIVIL CONSPIRACY

33.

Plaintiffs incorporate herein each and every allegation contained in Paragraphs 1 through 32.

34.

At all times mentioned herein, Defendants operated under an agreement between two or more persons or entities to accomplish the unlawful purpose of concealing dangerous conditions within the Subject Property. Additionally, each Defendant committed overt acts in furtherance of this conspiracy to conceal the dangerous condition causing damage to Plaintiffs.

COUNT V

ALTER EGO

35.

Plaintiffs incorporate herein each and every allegation contained in Paragraphs 1 through 34.

36.

At all times mentioned herein, Defendants, and each of them, inclusive of Unknown John and Jane Does A through M and Unknown Entities N through Z, were authorized and empowered by each other to act, and did so act, as agents of each other, and all of the things herein alleged to have been done by them were done in the capacity of such agency. Defendants disregarded corporate formalities and used the corporate form to commit the aforementioned

malfeasance. Upon information and belief, all Defendants are responsible in some manner for the events described herein and liable to Plaintiffs for the damages they have incurred.

COUNT VI

FRAUDULENT CONCEALMENT

37.

Plaintiffs incorporate herein each and every allegation contained in Paragraphs 1 through 36.

38.

Defendants are guilty of fraudulent concealment which, in accordance with Miss. Code §15-1-67, results in Plaintiffs' cause of action accruing when "such fraud shall be, or with reasonable diligence might have been, first known or discovered." The fraudulent actions of Defendants are:

A. Defendants took affirmative action designed or intended to prevent Plaintiffs from discovering the presence of toxic mold in their home, which affirmative action did in fact work to prevent them from discovering the toxic mold, until such time as action was taken by Plaintiffs to confirm the presence of the toxic mold;

B. Defendants' maintenance technicians repeatedly reported that the toxic mold and leaks were located, repaired and removed when in fact they were not;

C. Defendants did not disclose to Plaintiffs that they knew that toxic mold was a problem in the military housing they owned and managed;

D. Defendants did not disclose to Plaintiffs that they knew that toxic mold had caused serious health problem to residents of military housing they owned and managed; and

E. Defendants did not disclose to Plaintiffs that they knew the military housing they owned and managed suffered from serious construction defects that caused damp indoor spaces making the growth of toxic mold foreseeable.

COUNT VII

INTENTIONAL ENDANGERMENT

39.

Plaintiffs incorporate herein the allegations contained in Paragraphs 1 through 38.

40.

At all times mentioned herein, Defendants' actions were intentional and endangering to Plaintiffs. This included intentionally endangering Plaintiffs by allowing them to live in dangerous housing conditions, intentionally endangering Plaintiffs by allowing the dangerous conditions to persist, intentionally endangering Plaintiffs by failing to remedy the dangerous conditions, and intentionally endangering Plaintiffs by failing to relocate Plaintiffs after the dangerous conditions were discovered.

DISCOVERY RULE

41.

Plaintiffs incorporate herein the allegations contained in Paragraphs 1 through 40.

42.

To the extent that Defendants allege that any of Plaintiffs' claims against them are barred by any statute of limitations, Plaintiffs plead the discovery rule. Plaintiffs suffered from a latent injury, undiscoverable by reasonable means. Plaintiffs neither knew nor should have known that they had been harmed, much less that their harm was caused by the wrongful conduct of

Defendants until such time that was within the limitations period applicable to the claims they have asserted.

CONTINUING TORT

43.

Plaintiffs incorporate herein the allegations contained in Paragraphs 1 through 42.

44.

To the extent that Defendants allege that any of Plaintiffs' claims against them are barred by any statute of limitations, Plaintiffs plead the continuing tort doctrine. Defendants inflicted injury upon Plaintiffs over a period of time by engaging in continuous wrongful conduct which has continued while Plaintiffs continue to live in the Subject Property.

DISABILITY OF INFANCY

45.

Plaintiffs incorporate herein the allegations contained in Paragraphs 1 through 44.

46.

Saif Naber is a minor, tolling the applicable statute of limitations in accordance with the minors savings clause. See Miss. Code Ann. § 15-1-59.

DAMAGES

47.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 46.

48.

As a direct and proximate result of the Defendants' wrongful and negligent conduct, Plaintiffs sustained serious injuries, losses, and damages as follows:

A. Plaintiff, Daniel Owen, sustained serious and painful personal injuries, property damage, extreme mental and physical pain, suffering, anxiety, anguish and upset, losses and damage to his quality of life, and mental and emotional well-being, reasonable and necessary doctor, hospital, medical and related bills and expenses, all of which he should be compensated for;

B. Plaintiff, Kayla Owen, sustained serious and painful personal injuries, property damage, extreme mental and physical pain, suffering, anxiety, anguish and upset, losses and damage to her quality of life, and mental and emotional well-being, reasonable and necessary doctor, hospital, medical and related bills and expenses, all of which she should be compensated for;

C. Plaintiff, Saif Naber, sustained serious and painful personal injuries, property damage, extreme mental and physical pain, suffering, anxiety, anguish and upset, losses and damage to his quality of life, and mental and emotional well-being, reasonable and necessary doctor, hospital, medical and related bills and expenses, all of which he should be compensated for.

PUNITIVE DAMAGES

49.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 48.

50.

At all times mentioned herein, Defendants acted with actual malice and/or gross negligence which evidenced a willful, wanton, or reckless disregard for others, or committed actual fraud, and such actions were so oppressive and overbearing that in order to punish the wrongdoer and deter similar misconduct in the future, Defendants should be subject to punitive

damages consistent with the statutory scheme in the State of Mississippi. Specifically, after considering Defendants' financial condition and net worth, the nature and reprehensibility of Defendants' wrongdoing, Defendants' awareness of the amount of harm being caused, and Defendants' motivation in causing such harm, the duration of Defendants' misconduct and attempts to conceal such misconduct, and Miss. Code Ann. § 11-1-65, Defendants should be subject to punitive damages in an amount to be proven at trial and decided by the jury.

ATTORNEYS' FEES

51.

Plaintiffs incorporate herein each and every allegation made in Paragraphs 1 through 50.

52.

Defendants are liable for all reasonable attorneys' fees, costs, and expenses incurred in pursuit of this cause if found liable for punitive damages or fraud.

PRAYER

WHEREFORE, Plaintiffs pray that after due proceedings are had that a Judgment be rendered in favor of Plaintiffs and against Defendants for damages in an amount to be proven at the trial of this cause, said damages including actual damages, compensatory damages and any other such damages to which Plaintiffs may be entitled and which may be proven at the trial of this cause, for a punitive damages amount based on Defendants' financial condition and net worth, for attorneys' fees, for post-judgment interest, or for such other amount consistent with the statutory scheme in Mississippi for the awarding of such damages, for all costs of this cause and for such other relief to which Plaintiffs may be entitled under the premises.

Respectfully submitted,

DANIEL OWEN, KAYLA OWEN AND SAIF NABER, A MINOR, BY AND THROUGH HIS GUARDIANS, DANIEL OWEN AND KAYLA OWEN
PLAINTIFFS

BY: _____

WILLIAM LEE GUICE III
MS BAR # 5059
MARIA MARTINEZ
MS BAR # 9951
RUSHING & GUICE, P.L.L.C.
P. O. BOX 1925
BILOXI, MS 39533
TELEPHONE: (228) 374-2313
FAX: (228) 875-5987
ATTORNEYS FOR PLAINTIFFS

Ed Williams

From: kat.quarles@moldtestusa.com
Sent: Friday, March 17, 2017 12:00 PM
To: Ed Williams
Subject: MTUSA
Attachments: Chain of Custody.pdf

Booking Info		
Booking Date	***Booked by***	***Inspector Assigned***
3/17/2017	Kat Quarles	Ed Williams

Schedule Info		
Schedule Date	***Schedule Time***	***Schedule Day***
3/22/2017	4:00	Wednesday

Customer Information		
Customer Name	***Customer Phone Number***	***Site Ownership***
Rushing and Guice	(228) 374-2313	Owner
Customer address		
908 Vandenburg Dr, Biloxi, MS 39531		

Inspection Info			
Type of Test	***Base Price***	***Expedite***	***Electricity***
Pre	$495.00	No	Yes

Site Contact Info		
Name	***Contact Number***	***Relation to Site***
Kayla Owen	(425) 614-6441	Tenant

Additional Information
Wants 2 air samples and 1 additional tape lift.

Mileage Bonus (if any)
$50.00

AFTER THE JOB, SAME DAY

- Send the samples and fully completed Chain of Custody to the lab

52-Point Visual Inspection

Prepared for	Rushing and Guice		
Site Address	908 Vandenburg Dr		
City	Biloxi	State MS	Zip 39531
Inspector	Ed Williams		
Date	3/22/2017	Time	4.00 PM

This inspection for mold or fungi is performed for a fee to visually inspect for signs of a mold like substance, fungi or growth. It may also include air, swab or bulk tests to be performed with their associated lab fees.
A fee is charged per sample. All fees must be paid prior to sending in any samples. Sample tests should be considered at each area that visible evidence is present. Whether this report reveals mold in the building or not, the customer, building owner or potential buyer should consider:

1. Whether or not to have any sample tests performed at any area that was noted in the report.
   - **We always suggest to have a Direct ID Sample for visible microbial growth.**
   - **If someone is sick in your home, we always suggest to have the areas they spend most of their time in to be tested.**

2. Whether or not to hire a qualified mold remediation company or industrial hygienist for further consultation, inspection or corrective procedures, either now, before the lab tests results, or afterwards.

Important: If you do have mold and it must be removed, you are strongly encouraged to obtain the services of a qualified remediation contractor. If a homeowner or contractor unfamiliar with containment, removal and safety practices performs remediation activities, building occupants can be put at elevated health risks and mold may spread to areas that previously had no contamination. Failure to eliminate source(s) of moisture in the building that are allowing mold to flourish will render remediation efforts ineffective.

Client Present	Age of Home	Weather	Exterior Temp
Katrina	8/15	Sunny	86°

OUTSIDE

1	Is there standing water in the yard?	Yes ☐	No ☒
2	Does the land slope towards the home or building?	Yes ☐	No ☒
3	Are gutters present?	Yes ☒	No ☐
4	Are downspouts present?	Yes ☒	No ☐
5	Is there vegetation against house or building?	Yes ☐	No ☒

Comments: (Note anything visible)

No extensions on downspouts
Microbial Growth Right Rear Eave

ROOF (Do not climb onto roof)

6	Are there missing or broken shingles?	How many?	Yes ☒	No ☒
7	Are the shingles older than 10 years?		Yes ☐	No ☒
8	Are any flanges around the vents loose?		Yes ☐	No ☒
9	Is any flashing loose?		Yes ☐	No ☒

Comments: (Note anything visible)

None

Foundation Type

10	Basement ☐	Crawl ☐	Slab ☒

Basement

11	Is there a dehumidifier in place?	Yes ☐	No ☒
12	Are there any carpeted areas?	Yes ☐	No ☒
13	Is there a sump pump?	Yes ☐	No ☒

Comments:

None

Crawl Space (Enter only if safe to do so)

14	Are there any leaks?	Yes ☐	No ☒
15	Is there microbial growth?	Yes ☐	No ☐
16	Is there a vapor barrier?	Yes ☐	No ☐
17	Is the vapor barrier totally sealed and intact?	Yes ☐	No ☐
18	Is the crawl space totally encapsulated?	Yes ☐	No ☐
19	Is there room for you to crawl?	Yes ☐	No ☐
20	Is there any rot?	Yes ☐	No ☐
21	Is the insulation intact?	Yes ☐	No ☐
22	Is the insulation wet?	Yes ☐	No ☐
23	Is the duct work intact?	Yes ☐	No ☐
24	Any condensation around the ducts?	Yes ☐	No ☐
25	Are the floor joists intact?	Yes ☐	No ☐
26	Is there a dehumidifier in place?	Yes ☐	No ☐
27	Are any vents blocked off?	Yes ☐	No ☒

Comments:

N/A

INSIDE

Microbial Activity

30	Any Microbial Activity? (e.g., carpet, drapes, walls, ceilings, cabinets, etc.)	Yes ☒	No ☐
31	Is there a musty odor present?	Yes ☐	No ☒
32	Are there any water marks?	Yes ☐	No ☒

Comments:

30 GARAGE Ceiling

Attic

33	Anything suspicious? (including lack of proper ventilation)	Yes ☒	No ☐

**DUE TO LIABILITY, WE DO NOT GO INTO THE ATTIC UNLESS THERE IS A SUSPECTED AREA OF CONCERN.

Comments:

Power Roof vent inoperative (FAN)

Kitchen and Laundry

34	Is the dryer ventilation intact?	Yes ☒	No ☐
35	Are there any leaks behind the washer?	Yes ☐	No ☒
36	Are there any leaks under or behind refrigerator?	Yes ☐	No ☒
37	Are there any leaks under kitchen sink?	Yes ☐	No ☒

Comments:

N/A

Bedroom/Office(s)

	**Indicate Name of Bedroom/offices	R01 Master Bedroom		R02 Bedroom 2	
38	Any microbial activity around windows?	Yes ☐	No ☒	Yes ☐	No ☒
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☒	Yes ☐	No ☒
40	Are HVAC vents clean?	Yes ☒	No ☐	Yes ☒	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☒	Yes ☐	No ☒
	**Indicate Name of Bedroom/offices	R03 Bedroom 3		R04 Storage Rm	
38	Any microbial activity around windows?	Yes ☐	No ☒	Yes ☐	No ☒
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☒	Yes ☐	No ☒
40	Are HVAC vents clean?	Yes ☒	No ☐	Yes ☒	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☒	Yes ☐	No ☒
	**Indicate Name of Bedroom/offices	R05 Dining Room		R06 Living Room	
38	Any microbial activity around windows?	Yes ☐	No ☒	Yes ☐	No ☒
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☒	Yes ☐	No ☒
40	Are HVAC vents clean?	Yes ☒	No ☐	Yes ☒	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☒	Yes ☐	No ☒
	**Indicate Name of Bedroom/offices	R07 Family Room		R08	
38	Any microbial activity around windows?	Yes ☐	No ☒	Yes ☐	No ☐
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☒	Yes ☐	No ☐
40	Are HVAC vents clean?	Yes ☒	No ☐	Yes ☐	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☒	Yes ☐	No ☐
	**Indicate Name of Bedroom/offices	R09		R10	
38	Any microbial activity around windows?	Yes ☐	No ☐	Yes ☐	No ☐
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☐	Yes ☐	No ☐
40	Are HVAC vents clean?	Yes ☐	No ☐	Yes ☐	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☐	Yes ☐	No ☐
	**Indicate Name of Bedroom/offices	R11		R12	
38	Any microbial activity around windows?	Yes ☐	No ☐	Yes ☐	No ☐
39	Any water stains on ceiling/walls/carpets?	Yes ☐	No ☐	Yes ☐	No ☐
40	Are HVAC vents clean?	Yes ☐	No ☐	Yes ☐	No ☐
41	Is the paint or plaster cracking?	Yes ☐	No ☐	Yes ☐	No ☐

Comments:

Bathroom(s)

**If more than 2 bathrooms, please describe in comment section

		Bathroom 1 MSTR		Bathroom 2 KIDDIES	
42	Exhaust fan(s) present and getting proper suction?	Yes ☒	No ☐	Yes ☒	No ☐
43	Any leaks under the sink?	Yes ☐	No ☒	Yes ☐	No ☒
44	Are all bathtub seals intact?	Yes ☒	No ☐	Yes ☒	No ☐
45	Are there any leaks around the bathtub?	Yes ☐	No ☒	Yes ☐	No ☒
46	Any leaks around hot the water heater?	Yes ☐	No ☐	Yes ☐	No ☐

Comments:

NG WATER HEATER NOT ACCESSIBLE

HALF BATH

42. YES

43. NO

44. N/A

45. N/A

HVAC

47	Is there a return vent?	Yes ☒	No ☐
48	Is any furniture sitting on top or blocking HVAC registers?	Yes ☐	No ☒

Comments: (Note condition of return and ducts)

RETURNS ARE CLEAN & DUCTS SHOW NO SIGNS OF CONTAMINATION OF MICROBIAL GROWTH.

Relative Humidity Indoors

49. Readings /Comments:

DOWNSTAIRS: 56% @ 80°

UPSTAIRS: 57% @ 78°

GARAGE: 62% @ 88°

Moisture Indoors

50. Readings /Comments:

DOWNSTAIRS: WALLS - 11% FLOOR - 7%

UPSTAIRS: WALLS - 10% FLOOR - 8%

GARAGE: CEILING - 8-9%

Do You Recommend Remediation? Yes [X] No [ ] Possibly [ ]

49. Explanation:

GARAGE CEILING - VISIBLE MICROBIAL GROWTH (MOLD)

Issues of Concern

50. Comments:

1) MISSING DOWNSPOUT EXTENSION
2) MICROBIAL GROWTH - GARAGE CEILING
3) MICROBIAL GROWTH - EXT REAR right siding ABOVE EAVE.
4) POWER ATTIC FAN INOPERATIVE

51. Recommended Preventative Measures:

INSTALL DOWNSPOUT EXTENSIONS
PRESSURE WASH / TREAT EXTERIOR of HOUSE
REPAIR ATTIC FAN

Inspector Recommends These Areas to Test

52. ***We always recommend a Tape Lift Sample for anything visual that appears to be microbial.***

- GARAGE CEILING

THE NEXT STEPS IN OUR PROCESS

1. Your lab analysis and your 52 Point Inspection will be sent to your email within 3 to 5 business days. If you expedited your results, you will receive them within 1 to 2 business days. *Weekends and holidays are excluded. If the job was on a late Thursday, Friday or on a Saturday, results will be available on Tuesday. FedEx does not deliver our mold sample packages to the lab on weekends or on holidays.

2. You will receive a call from Newton Microbial Laboratory within 1 to 2 business days after youreceive your reports to go over your lab analysis.

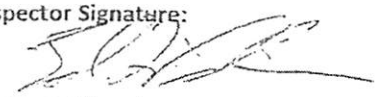
3. You will receive a call from Mold Test USA for recommendations and to answer any questions you may have.
   ***If you are left a message, do not receive your reports during this time period or have any questions, please call Mold Test USA. We thank you for your business!**

Please call the office before sampling. Thank you!
877-554-6653 (Office Hours 9am-7pm EST, MON-FRI)
Our customer spoke with N/A at MTUSA.

Please have Customer Initial the following:

I agree to pay $ for the inspection and testing. The inspector completed the 52 Point Inspection and I am satisfied with services rendered. **Initial:**

Signatures

Inspector Signature:  **Date:** 3/23/2017

Customer Signature: **Date:**

Would you like Mold Test USA to recommend professionals to give you estimates on needed repairs? Yes No

I do not wish to have a written protocol at this time. If I choose to have protocol written at a later date and it exceeds 7 days, Mold Test USA will need to retest in order to have a properly written protocol.

Inspector Signature:  **Date:** 3/23/2017

Customer Signature: **Date:**

Mold Test USA Customer Agreement

Property Address: 908 Vandenburg Drive Biloxi, Ms 39531

The inspector recommends, and you agree, that the following areas be sampled:

Location of sample	Type of Sample (circle)	# of samples in area	PRICING Base Rate: $495.00 (includes 2 samples) Additional samples: $85 ea.
1. O/S - Front Yard	(Air)/Swab/Tape/bulk material	1	—
2. GARAGE	(Air)/Swab/Tape/bulk material	1	—
3. GARAGE - Ceiling	Air/Swab/(Tape)/bulk material	1	85.00
4.	Air/Swab/Tape/bulk material		
5.	Air/Swab/Tape/bulk material		
6.	Air/Swab/Tape/bulk material		
7.	Air/Swab/Tape/bulk material		
8.	Air/Swab/Tape/bulk material		
9.	Air/Swab/Tape/bulk material		
10.	Air/Swab/Tape/bulk material		

The inspector suggested the following areas below to be tested in which you chose not to have tested.

_____

_____ **Customer Initials** _____

EXPEDITED? YES (NO) (circle) Waived Fee _____ Expedited Amount: $ _____

Total Price for services rendered: $ 580.00

Payment Method: _____ **Transaction ID:** _____

THE 52 POINT INSPECTION, CUSTOMER AGREEMENT, AND RESULTS DO NOT CONSTITUTE A WARRANTY, AN INSURANCE POLICY, OR A GUARANTEE OF ANY KIND; NOR DOES IT SUBSTUTUTE FOR ANY DISCLOSURE STATEMENT AS MAY BE REQUIRED BY LAW.

Mold Test USA or the inspector is not anyway held responsible or liable for the results of the inspection and/or sampling. If you choose any form of litigation against Mold Test USA or the inspector, you hereby agree the amount of our liability will not exceed the cost of the inspection and testing. Also, if you choose to write any negative reviews or slander Mold Test USA or the inspector in anyway, we reserve the right to receive compensation for all damages incurred.

Mold Test USA only performs mold inspections and sampling. We do not write Protocol, nor do we perform remediation work.

Confidentiality: The inspection and testing is done for your benefit and use. The results analyst, a biologist from Newton Microbial Laboratory, will be calling you to go over the results with you and give you recommendations for your next step. If cleaning, removal or remediation is needed, Mold Test USA may be able to refer you to a certified, licensed and insured remediation company that follows proper protocol. All remediation companies are independent from Mold Test USA and does not reflect on Mold Test USA. By initialing here, this allows Mold Test USA to release your results and information for you to have a free estimate for services suggested to no more than three companies. **Customer Initials** _____

Applicable Law. This Agreement, its validity, enforceability and the construction and interpretation of its terms and provisions shall all be in accordance with the applicable laws of the State of South Carolina. No claim, demand, action, proceeding, arbitration, litigation, hearing, motion or lawsuit arising here from or with respect to the rights and obligations created hereunder shall not be commenced or prosecuted in any jurisdiction other than the State of Carolina. The parties hereto hereby consent and stipulate to the jurisdiction of the Circuit and County Courts of Richland County, South Carolina.

By signing below, you acknowledge that you have read, understand, and agree to the terms and conditions of this agreement, including (but not limited to) the limitations of liability, arbitration clause and limitation period, and agree to pay the fee listed in the box above.

_____ _____ _____ 3/23/2017

Customer's Signature **Date** **Inspector's Signature** **Date**

877-554-6653 admin@moldtestusa.com Mon-Fri 9am-7pm EST

Chain of Custody

Newton Microbial Laboratory

1101 1st Street South, Suite B
Columbia, SC 29209
877-628-6944
info@newtonlaboratory.com

Company Information

Company Name	Street Address	City	State	Zip
Mold Test USA	1101 1st Street South EXT., Ste. B	Columbia	SC	29209

Phone Number	Email Address	Collected by	Collected Date
803-776-0562	admin@moldtestusa.com	Ed Williams	3/23/2017

Test Site Information

Property/Customer Name	Street Address	City	State	Zip
Rushing and Guice	908 Vandenburg Dr	Biloxi	MS	39531

Weather Condition: Select Any Applicable Choice/s

(●) Sunny Skies ( ) Cloudy Skies ( ) Fog ( ) Rain ( ) Freezing Rain and/or Sleet ( ) Snow ( ) Thunderstorms ( ) Windy Days ( ) Very Warm and Humid ( ) Very Cold and Dry ( )

Known Health Issue/s, If Any

( ) Sneezing and cough fit ( ) Nasal congestion ( ) Sore throat ( ) Irritated skin ( ) Sore eyes ( ) Sinus problems ( ) Breathing difficulty ( ) Dizziness ( ) Headaches ( ) Trouble concentrating ( ) Feeling faint

( ) Hair loss ( ) Diarrhea ( ) Fatigue ( ) Nausea ( ) None

Priority Level: ( ) Expedited ( ) Standard

Sample ID	Sample Location	Flow Rate	Flow Time	Sample Type	Background Debris: Pollen, Fiber, Dander Plus	Note
S#1	O/S - FRONT YARD	15 LPM	10 MIN	AIR		
S#2	GARAGE	15 LPM	10 MIN	AIR		
Sample #3	GARAGE - CEILING	—	—	TAPE		

*Air Samples ** Surface Samples

Sample Type	TAT (Turnaround Time)	Description
Air	24 Hours	Identification & Enumeration of Fungal Spores
Tape	24 Hours	ID and Semi-quantative Enumeration of spores
Swab	24 Hours	ID and Semi-quantative Enumeration of spores
Bulk	24 Hours	ID and Semi-quantative Enumeration of spores
Culture	7 Days	Identification & Enumeration of Mold Only

Sampling recommendations sourced from each Cassette's respective manufacturer

Cassette Brand	Sample Flow Rate	Outdoor Sample	Clean Indoor	Occupied Indoor	Heavy Dust Indoor	Inner Wall
Air-O-Cell®	15 LPM	10 minutes	10 minutes	5 minutes	1 minutes	1 minutes
Allergenco-D	15 LPM	1-10 minutes	5-10 minutes	3-5 minutes	1-3 minutes	1-3 minutes
Micro5	5 LPM	8-10 minutes	8-10 minutes	5 minutes	1-3 minutes	1-3 minutes
MoldSnap	5 LPM	8-10 minutes	8-10 minutes	5 minutes	1-3 minutes	1-3 minutes
Others	Manufacturer Suggested	Manufacturer Suggested	Manufacturer Suggested	Manufacturer Suggested	Manufacturer Suggested	Manufacturer Suggested

Relinquished by (Please Sign & Date) Ed Williams Date 3/23/17

Received by Date

NML-20170327-Rushing and Guice - 908 Vandernburg Dr

Spore Analysis Completed for

1101 1st Street South EXT. Suite B, Columbia, SC 29209
803-776-0562
admin@moldtestusa.com

Collected Date	3/23/2017
Collected Street Address	908 Vandernburg Dr
Collected & Relinquished by	Ed Williams
# of Sample Sent	3
# of Sample Received & Accepted	3
Sample(S) Received & Accepted on	03/27/2017
Sample(S) Received & Accepted by	Crystal Hernandez
Sample(S) Analyzed on	03/27/2017
Sample(S) Analyzed by	Crystal Hernandez
Report Approved by	Janna Komorowski
Report/Test Tpye	**Standard**

tabbies EXHIBIT B

Spore Analysis Completed by

Janna Komorowski
Laboratory Director, B.A. in Biological Sciences

Newton
Laboratory

Crystal Hernandez
Operations Director, B.A. in Biology

1101 1st Street South EXT Suite C, Columbia SC 29209

Newton
Laboratory

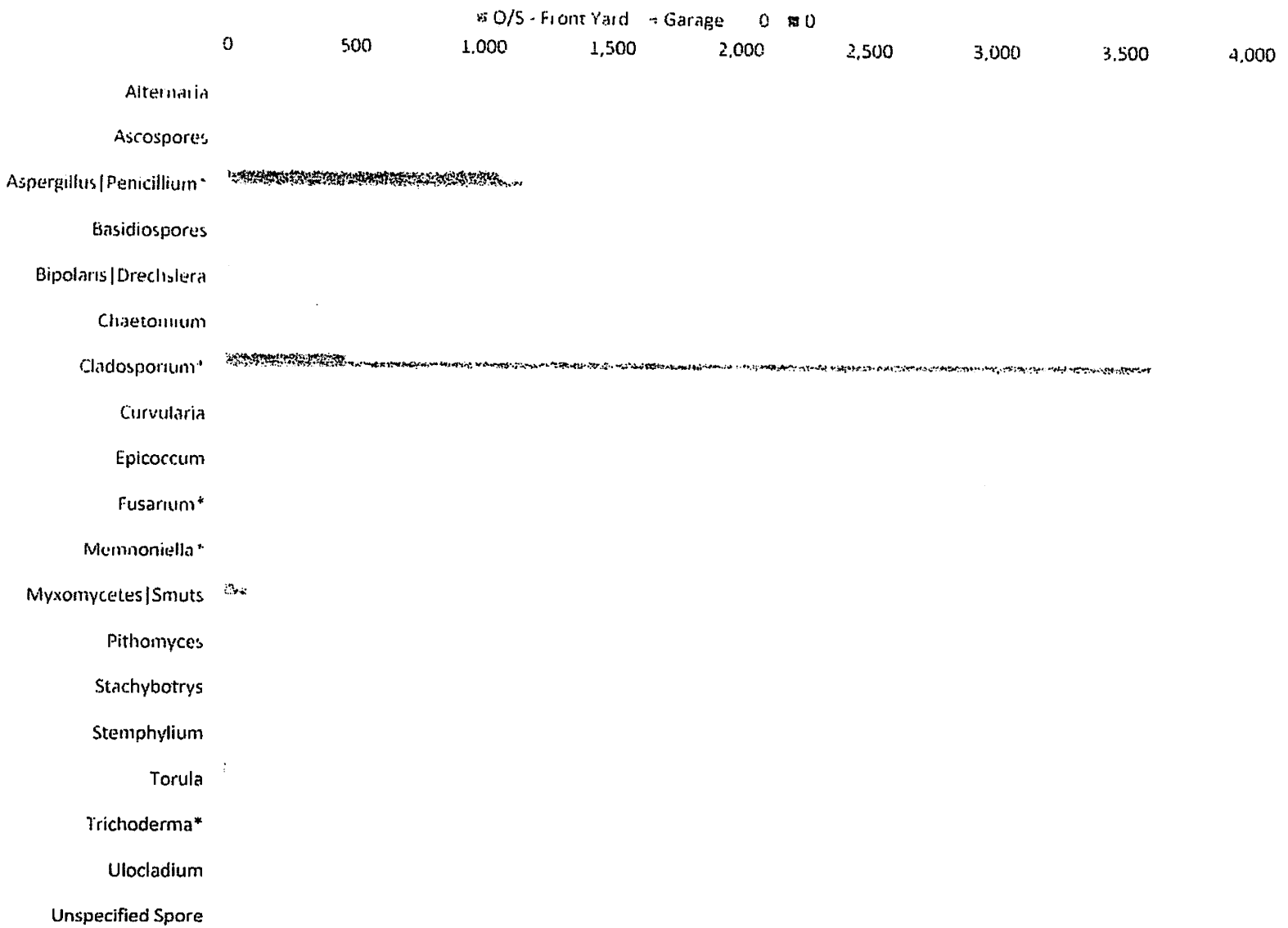
Newton Report ID
20170327 Rushing and Guice - 908 Vandernburg Dr.xlsm

Property/Customer Name	Site Street Address	Site City	Site State	Site Zip
Rushing and Guice - 908 Vandernburg Dr	908 Vandernburg Dr	Biloxi	MS	39531

Company Email	Company Phone Number	Date Collected	Date Received
	803-776-0562	3/23/2017	03/27/2017

Company Address	Company Name	Sample Collected by	Date Analyzed
1101 1st Street South EXT. Suite B, Columbia, SC 29209	Mold TEST USA	Ed Williams	03/27/2017

Newton ML Sample ID	CAE20170327007S001AS	CAE20170327007S002AS								
Sample Name/Location	O/S - Front Yard	Garage								
Volume (L)	150	150								
Background	2	2								
Analyt. Sensitivity 100X (Cts/M³)	7	7								
Analyt. Sensitivity 400X* (Cts/M³)	13*	13*								
Sample Type	Spore Trap	Spore Trap								
Organism	Counted	Cts/M³	% of Total	Counted	Cts/M³	% of Total							
Alternaria	Not Detected			Not Detected									
Ascospores	2	13	0.81%	Not Detected									
Aspergillus|Penicillium*	83	1,062	64.68%	90	1,152	23.53%							
Basidiospores	1	7	0.41%	Not Detected									
Bipolaris|Drechslera	2	13	0.81%	2	13	0.27%							
Chaetomium	Not Detected			1	7	0.14%							
Cladosporium*	37	474	28.83%	282	3,610	73.74%							
Curvularia	Not Detected			2	13	0.27%							
Epicoccum	1	7	0.41%	Not Detected									
Fusarium*	Not Detected			Not Detected									
Memnoniella*	Not Detected			Not Detected									
Myxomycetes|Smuts	7	47	2.84%	14	93	1.91%							
Pithomyces	Not Detected			Not Detected									
Stachybotrys	Not Detected			Not Detected									
Stemphylium	Not Detected			Not Detected									
Torula	2	13	0.81%	1	7	0.14%							
Trichoderma*	Not Detected			Not Detected									
Ulocladium	Not Detected			Not Detected									
Unspecified Spore	1	7	0.41%	Not Detected									
Total	136	1,643	100.00%	392	4,895	100.00%							
Hyphal Fragment	3	20	-	6	40	-							
Spore Trap + Dander*	na		-	na		-							
Spore Trap + Fiber*	na		-	na		-							
Spore Trap + Pollen*	na		-	na		-							
Comments													
	Color Code	Common Outdoor		Common Indoor			Water Damange Indicator			Elevation/Variance			



Spore Trap Analysis Explanation

Volume	Flow Rate * Flow Rate Minute
Background	None: Recollect 1: <5% 2: 5% ≤ Background Coverage < 25% 3: 25% ≤ Background Coverage < 70% 4: 70% ≤ Background Coverage < 90% 5: 90% ≤ Background Coverage < 100%, Recollect
Cts/M³	Spore Counts per Cubic Meter
Hyphal Fragment	Fragments of hyphae. Can be an additional indicator of possible mold presences
Unspecified Spore	Less commonly identified spore types, other than those listed on the report
Limit of Detection	1 spore count per coverage examined area
Sample Type	
Spore Count	Spore Trap Cassettes Identification & Enumeration of Fungal Spores
Spore Count+	Spore Trap Cassettes Identification & Enumeration of Fungal Spores + Total Dander, Fiber, and Pollen Count
Spore Trap Analytical Report Method	
	NML-SAM-1611, adapted from ASTM D7391-9

* Uncertainty available upon request

Newton
Laboratory

Newton Report ID
20170327 Rushing and Guice - 908 Vandernburg Dr.xlsm

Site Name	Site Address Site Address	Site City	Site State	Site Zip
Rushing and Guice - 908 Vandernburg Dr	908 Vandernburg Dr	Biloxi	MS	39531

Company Email	Company Phone Number	Date Collected	Date Received
admin@moldtestusa.com	803-776-0562	3/23/2017	03/27/2017

Company Address	Company Na Company Name	Sample Collected by	Date Reported
1101 1st Street South EXT. Suite B, Columbia, SC 29209	Mold TEST USA	Ed Williams	03/27/2017

Newton ML Sample ID	CAE20170327007S001TS			
Sample Name / Location	Garage - Ceiling			
Sample Type	Direct ID - Tape			

Organism	Category	Trace	Light	Med	High			
		1-10	11-100	101-1000	1001+			
Alternaria	ND							
Ascospores	ND							
Aspergillus|Penicillium	ND							
Basidiospores	ND							
Bipolaris|Drechslera	ND							
Chaetomium	ND							
Cladosporium	High							
Curvularia	ND							
Epicoccum	ND							
Fusarium	ND							
Memnoniella	ND							
Myxomycetes|Smuts	ND							
Pithomyces	ND							
Stachybotrys	ND							
Stemphylium	ND							
Torula	ND							
Trichoderma	ND							
Ulocladium	ND							
Unspecified Spore	ND							

ND = Not Detected

Hyphal Fragment	Heavy			
Background Debris	Light			
Comments				
Color Code	Common Outdoor	Common Indoor	Water Damage Indicator	Color Code

Direct Identification Explanation

Direct ID

Trace	Spore Count less than 10
Light	Estimated Spore Counts between 11 and 100
Medium	Estimated Spore Counts between 101 and 1000
High	Estimated Spore Counts above 1000

Hyphal Fragment/Background Debris

Not Detected	Not Found in the Sample
Light	Found Traces throughout the Sample
Moderate	Found Some throughout the Sample
Heavy	Found All throughtout the Sample

Unspecified Spore Less commonly identified spore types, other than those listed on the report

Sample Type

Direct ID-Swab	Swab for ID only	ID and Semi-Quantitative Enumeration of Spores
Direct ID-Swab+	Swab for ID + Spore Count	ID and Enumeration with Spore Count
Direct ID-Tape	Swab for ID only	ID and Semi-Quantitative Enumeration of Spores
Direct ID-Tape+	Swab for ID + Spore Count	ID and Enumeration with Spore Count
Direct ID-Bulk	Swab for ID only	ID and Semi-Quantitative Enumeration of Spores
Direct ID-Bulk+	Swab for ID + Spore Count	ID and Enumeration with Spore Count

Direct Analytical Report Method

NML-SAM-1611

Ascospores

Growth and Distribution

Ascospores refers to spores produced in a sac-like structure known as an ascus (plural asci). These spores are specific to fungi of the phylum Ascomycota. Ascomycota is a broad division containing a large number of genera and individual species. Identification of the genus and/or species based on spore morphology alone is not always possible, therefore these spores are often given the more general classification of "Ascospores" in microscopic analysis.

- Ascospores are found worldwide with prevalence and distribution depending on particular genus and species.
- **Outdoors:** Ascospores are found ubiquitously in outdoor environments; often found on dead and decaying plant material. Many types are known to have pathogenic or parasitic properties in plants.
- **Indoors:** Common substrates include damp building materials such as gypsum or lumber, carpeting, dust, and other organic materials.

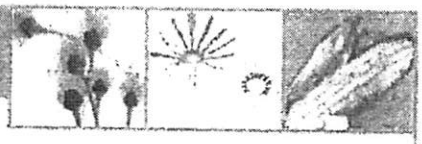
Health Effects

- **Allergen**
  - Ascospores can be allergenic to sensitive individuals, most often producing Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis (Type III). (5)
  - Reactions due to spore inhalation may increase following rain or high humidity. (5)
  - Unlike some fungi which rely on air currents for spore dispersal, ascomycetes are capable of a more active form of spore dispersal that utilizes water droplets to catapult their spores into the air. Various species of Ascospores are known to use this method to liberate spores every single day, regardless of air flow. Subsequently, exposure to ascospores may be more consistent from day to day than exposure to other spores which are only dispersed with adequate air currents. For this reason these spores may be of particular interest in cases of chronic respiratory disease such as asthma and rhinitis (5).
- **Pathogen**
  - Some types can be pathogenic; dependent upon genus and species.
- **Toxins\Metabolites**
  - Vary greatly depending on genus and species.

Found on Sample(s)
AIR •O/S - Front Yard••••••••••••••
DIRECT ••••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Aspergillus/Penicillium



Growth & Distribution (7):

- Aspergillus & Penicillium are incredibly adaptive and abundant organisms. Their distribution is world-wide with many species possessing abilities to tolerate environmental conditions that challenge other molds (i.e. extreme temperatures & pH levels, restricted water availability and exposure to radiation). Colony growth rates are rapid for many species. Mature colonies are capable of quickly producing large numbers of spores. Because of the morphological similarity of the spores, the two genera are typically grouped together as "Aspergillus-Penicillium."

- **Growth Rate:** Usually Rapid – Mature within 3-4 days; however, some species are slower(6).
- **Water Activity:** Aspergillus: 0.93-0.97 & Penicillium: 0.88 – 0.99 (33, 35)
- **Outdoors:** Both can be found outdoors on a variety of substrates- particularly plant materials such as cereals, grains, decaying wood, and soil (7).
- **Indoors:** Found indoors on organic materials such as wood, textiles, cellulose materials, carpeting, painted surfaces, and food stuffs such as cheeses, butter/margarine meats, breads, fruits and vegetables. Halotolerant species may be found growing on refrigerated foods (7). Penicillium is used in cheese production and is responsible for the veins in blue cheese.

Health Effects

- **Allergen:**
  - Because these spores are so abundant, daily exposure to Aspergillus/Penicillium is very common in both indoor and outdoor environments. Often this exposure occurs without any noticeable reaction or symptoms. However, sensitivities may develop in some instances- especially with prolonged exposure to high spore concentrations. This can result in allergic responses.
  - Spores may progress further into the respiratory system than other common spores due to their small aerodynamic diameter.
  - Penicillium is the mold from which the antibiotic Penicillin was first derived. Penicillin is now made synthetically. It does not contain the mold Penicillium. Allergy to one does not necessarily imply allergy to the other.
- **Pathogen** (6,7):
  - There are approximately 175 species of Aspergillus, only about 20 of which are known to cause disease in humans.
  - Diseases caused by Aspergillus are known as aspergillosis and include invasive infection, colonization, & toxicosis.
  - Certain species of Penicillium are considered pathogens. Infection may occur in skin, blood, bone marrow, internal organs or lymph nodes. (6). In the immunocompromised (particularly HIV patients or those who have recently been in Southeast Asia) *P. marnefei* can cause severe infection capable of affecting respiratory, lymphatic, and nervous systems.
- **Toxins/Metabolites:**
  - Different species of Aspergillus/Penicillium are associate with an array of mycotoxins and metabolites, some of which are medically significant in humans. The importance of these toxins can vary from species to species and depends largely on the prevalence of that species.

Found in Sample(s)

AIR •O/S - Front Yard•Garage••••••••••••

DIRECT ••••••••••••••••

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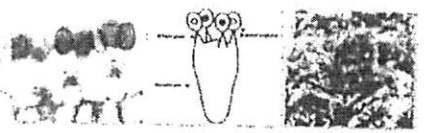
Basidiospores



Growth & Distribution:

- Basidiospores are spores produced by the division of Fungi known as Basidiomycota. These spores are unique for lacking septation, containing bilateral symmetry, and often having a visible pore at the site of detachment from the basidium (7). This is a large group of organisms consisting of a large number of individual genera & species. Distribution is world-wide with the prevalence in any given area varying for each genus and species. Like ascospores, basidiospores disperse using water droplets. Therefore, airborne spore concentrations are often higher following rain or high humidity. This division includes edible mushrooms.
- **Outdoors:** Basidiospores are found growing on plant material, organic debris, and soil. Many species of basidiospores are known to be plant pathogens.
- **Indoors:** Basidiospores may be found growing on damp materials. Colonies may grow given sufficient access to water (leaks, flooding, high humidity, or surrounding plumbing, heating/air conditioning components, appliances, house plants, etc.).

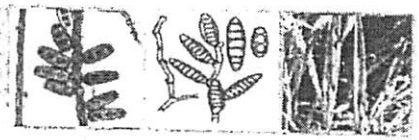
Health Effects:

- **Allergenic:**
  - Exposure to these spores is commonplace in both indoor and outdoor environments. Nonetheless they are also potentially allergenic. Allergic responses may occur following inhalation, ingestion, or direct contact. Reactions due to inhalation may be increased following rain or high humidity when spore concentrations are often elevated.
  - In sensitive individuals, typically manifest Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)
- **Pathogenic:**
  - Invasion is not typical but can occur, particularly in the immunocompromised or immunosuppressed. These infections can includes sinitus, keratitis, phaeohyphomycosis, & peritonitist.
- **Toxins\Metabolites:**
  - Mycotoxins vary depending on genus and species. They are especially relevant in edible fungi of this division such as mushrooms.
    - Common sources of mushroom poisoning include *Amnita, Lepiota, Coprinus, & Psilocybe*

Found in Sample(s)
AIR •O/S - Front Yard••••••••••••••
DIRECT ••••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Bipolaris/Drechslera



Growth & Distribution:

- Bipolaris, Drechslera, Exserohilum, & Helminthosporium are dematiaceous fungi, producing spores which are elongate, cylindrical, often with numerous septations or cells. These genera are grouped together due to spore similarity. These spores are common in both indoor and outdoor environments. They are found world wide with some species being exceptionally tolerant of dry environments (6).
- **Growth Rate:** Rapid – Mature within 5 days (6)
- **Water Activity:** 0.80 (this is a generalized number for common molds) (26)
- **Outdoors:** These molds are most commonly found on grasses, grains and other plant materials. Bipolaris can be a plant pathogen causing spots, blights, rots, and other symptoms in staple crops like rice, wheat, and sorghum. In the past, plant disease caused by Bipolaris invasion has caused starvation of large human populations. In 1943-1944 the Bengal famine in India was caused by *Bipolaris oryzae* disease in rice. In the 1970s, *Bipolaris maydis* was responsible for a devastating leaf blight resulting in huge losses of corn crops in the USA & UK. (11)
- **Indoors:** These mold may be found on water damaged materials, food stuffs, houseplants, and other organic materials.

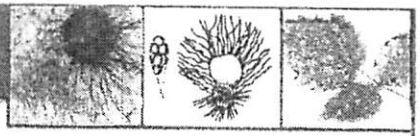
Health Effects:

- **Allergenic:**
  - These molds are highly common in both indoor and outdoor environments; most people have some level of exposure on a daily basis.
  - In sensitive individuals can manifest Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)
- **Pathogenic:**
  - Bipolaris (rapid growth – mature within 5 days) can be pathogenic in rare instances, particularly in immunocompromised. May invade bone, cornea (keratomycosis), skin, aorta, lung, central nervous system or cause brain lesions (6).
  - Exserohilum (rapid growth – mature within 5 days) can cause phaeohyphomycosis (infection of mycelia/hyphae of dematiaceous fungi), most commonly in nasal sinuses, skin, subcutaneous tissue, and cornea. Rare reports of fatal disseminated infection (6).
- **Mycotoxins/Metabolites:**
  - Cytochalasin, sporidesmin, sterigmatocystin (7)

Found in Sample(s)
AIR •O/S - Front Yard•Garage••••••••••••
DIRECT ••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Chaetomium



Growth & Distribution

- Chaetomium is a common mold with worldwide distribution; however, airborne spore concentrations are generally low in outdoor air (1). Identification is usually successful due to unique spore morphology with spores exhibiting a distinctive lemon-shape & olive-brown color. (7) There are approximately 80-150 species described; taxonomic data varies greatly for the genus (1). Some species are thermotolerant or thermophilic (able to tolerate or thrive in high heat). Spores themselves can be highly resistant to dry circumstances and UV radiation (7).

- **Growth Rate:** Rapid – Mature within 5 days (6)
- **Water Activity:** 0.91-0.94 (1)
- **Outdoors:** These molds are found commonly in soil, on plant remains, and on softwood and hardwood timber (where it is known as "soft-rot fungus")(7).
- **Indoors:** These molds are often found on water damaged cellulosic materials such as wood, sheetrock paper, cardboard, wall paper, & textiles. Like many molds, Chaetomium is cellulolytic- it degrades cellulose materials. Growth may result in damage to building materials, paper documents, textiles, etc. (4)

Health Effects:

- **Allergen:**
  - Spores of these molds are somewhat less common in the air in but are considered to be allergenic (1).
  - In sensitive individuals, typically manifest Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III)(5).
- **Pathogen:**
  - Very occasionally pathogenic in humans- mostly in the immunocompromised. Reportedly the cause of systemic and cutaneous phaeohyphomycosis (6), onychomycosis (nail infection), peritonitis, cutaneous lesions (2) and extremely rare cases of fatal disseminated cerebral disease in the immunocompromised and intravenous drug users (1).
  - Very rare cases of toenail or fingernail infection in people with normal immunity (2).
- **Toxins/Metabolites:**
  - Include chaetoglobosin, chetomin, chaetochromin, chaetosin, cochliodinol, sterigmatocystin (potentially carcinogenic) (12)
  - Several species do produce mycotoxins when growing on water damaged building materials in specific growth conditions (1).
  - Mycotoxicosis in humans is poorly studied; however, some animals studies have shown contaminated cereals to be toxic and even fatal in animals following ingestion of contaminated feed (1).
  - Toxicosis has been seen in mice spleen, liver, and kidney.(1)

Found in Sample(s)

AIR	••Garage••••••••••••
DIRECT	••••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Cladosporium

Growth & Distribution:

- Cladosporium are found in air and soil worldwide. Cladosporium are among the most common airborne fungi (4). Spores are produced in abundance and easily disperse through the air. Extremely common on decaying organic matter. These mold are common plant pathogens. Molds of this genus are dematiaceous with over 40 named species (1).
- **Growth Rate:** Moderately Rapid – Mature within 7 days. (6)
- **Water Activity:** 0.85-0.88 (1)
- **Outdoors:** Cladosporium can be found on food sources such as cereals, fruit, vegetables. Commonly found on dead plants and shrubs in temperate regions. Halotolerant (salt tolerant) species exist. (7) The most common species isolated from plant materials & soils (*C. cladosporiodides*) experiences peak airborne spore concentrations between June/July and September/October in temperate climates (2).
- **Indoors:** Cladosporium can be found on water damaged materials (i.e. plaster, paint, textiles, gypsum, wall paper, wood, moist window sills). May affect food sources such as cheeses, butter/margarine, vegetables, fruits and vegetables(7). Often found on the surface of fiberglass duct liners, in bathroom showers, and on basement walls (2). Some studies have reported Cladosporium in 70% of homes examined in the US & 100% of homes examined in Canada (1).

Health Effects:

- **Allergen:**
  - Allergic reaction to airborne spores are of particular importance because these spores exist in in such high concentrations in the air. Symptoms may increase during peak concentrations from June-October. Sensitization may occur. (1)
  - In sensitive individuals typically manifest Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)
- **Pathogen:**
  - Is pathogenic in humans very rarely, reported cases include skin lesions, keratitis, onychomycosis, sinusitis, pulmonary infections (1).
- **Mycotoxins/Metabolites:**
  - Cladosporic acid (12)
  - Gibberellin (hormone influencing developmental processes in plants) & ergosterol (precursor to vitamin D2 which may have anti-tumor properties). (1)
  - Toxic effects have been seen in animals (chicken embryos & horses) but not known to be reported in humans to date (1,2).

Found in Sample(s)

AIR •O/S - Front Yard•Garage••••••••••••

DIRECT •Garage - Ceiling ••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Curvularia

Growth & Distribution

- Curvularia is found world-wide with a particular preference for the tropics and warmer climates (7). Spores usually have a unique curved shape caused by an enlarged central cell (2). Airborne spores are common in both indoor and outdoor environments worldwide.

- **Growth Rate:** Moderately rapid - 4 to 12 days (32)
- **Water activity:** 0.80 (this is a generalized number for common molds) (26)
- **Outdoors:** Curvularia is typically seen growing on plant material. They are weakly pathogenic to plants and are the cause of leaf spots, seedling blight, and failing of seedling germination (2).
- **Indoors:** Curvularia may be found growing on materials containing cellulose such as woods and grains. Growth is less frequent indoors but may be seen on food.(7)

Health Effects:

- **Allergen:**
  - Poorly studied but believed to be an allergen and irritant (13).
  - In sensitive individuals typically manifest Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis &allergic sinusitis (Type III). (5)
- **Pathogen:**
  - Believed to cause corneal infections in the immunocompromised (14)
  - Opportunistic infections of cornea and sinuses, nails, subcutaneous tissue, and systemic organs. Dissemination to the brain can occur rarely. (6)
  - Can be causal agent in mycetoma (6):
    - Infections of subcutaneous tissue and skin. Untreated, chronic infections may progress to involve muscle, fascia & bone. Typically seen on the lower leg or foot, rarely disseminated.
    - Fungi enters the skin via wound, a nodule slowly develops into a tumor or abnormal tissue mass beneath the skin, cavities are formed within the mass and discharge occurs.
    - This is a rare condition which is not contagious. (6) Most infections occur in immunocompromised hosts. (2)
- **Toxins/Metabolites:**
  - Some toxins produced- mainly studied in plants.

Found in Sample(s)
AIR ••Garage••••••••••••
DIRECT ••••••••••••••••••

( ) List of references can be found at: http://newtonlaboratory.com/glossary

Epicoccum

Growth & Distribution

- Epicoccum is found worldwide. Spores are large with distinctive, highly septate morphology and dark brown color (7). Spores are dispersed easily by the wind. Airborne concentrations are generally higher on dry, windy days with higher counts occurring later in the day (1). Spores are common in both outdoor and indoor air.

- **Growth Rate:** Moderately Rapid – Mature within 7 days (6)
- **Water Activity:** 0.86-0.90 (1)
- **Outdoors:** Epicoccum is most often found on aging or decaying plants. It is known to invade various parts of dead plants such as the seeds of corn, barley, oats, & wheat as wells as beans and surrounding soil. Can also invade insects. (7)
- **Indoors:** Found on cellulose materials (e.g. gypsum boards, floors, paper, woods, cardboard) and other organic materials (e.g. house plants, dust, and occasionally human skin and sputum(7)).

Health Effects:

- **Allergen:**
  - Believed to be an important spore in inducing fungi-related respiratory allergy disorders. Increases in outdoor spore concentrations may exacerbate asthma attacks in children.(1)
  - In sensitive individuals, typically manifests Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)

- **Pathogen:**
  - Not believed to be infectious in humans (1).
    - 1 reported case of fatal haematogenous mycosis in a severely immunosuppressed allogenenic hematopoietic stem cell transplant recipient possibly attributed to Epicoccum (1).
- **Toxins/Metabolites:**
  - No toxins or metabolite reported to be harmful to humans.
  - Produces secondary metabolites and mycotoxins which may be useful as biocontrol agents against bacteria, fungi, & viruses (1).
    - E.g. *E nigrum* against *Monilinia* spp. on fruit (7).

Found in Sample(s)
AIR •O/S - Front Yard••••••••••••••
DIRECT ••••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Myxomycetes

Growth & Distribution

- Myxomycetes is a large class with approximately 500 individual species and worldwide distribution (25). Interestingly, these organisms are no longer considered to be true fungi like other molds, but have been reclassified as protozoans. These organisms belong to group commonly called "slime molds" that exhibit an amoeba-like stage. Spores are common in both indoor and outdoor environments worldwide (15). Spores can be dispersed by air, arthropods and other animals due to their small size (4 – 20 µm)(25).

- **Growth Rate:** Generally Rapid – Mature within 2 to 4 day; however, specific growth rate does depend on species (24).
- **Water Activity:** 0.80 (this is a generalized number for common molds)(26).
- **Outdoors**
  - Found in soil, decaying plant material (especially damp wood), and dung. Species of Myxomycetes are not as geographically constricted as most organisms; most Myxomycetes species can be found world wide. (15)
- **Indoors**
  - Can be found growing indoors on damp building materials such as cardboard, wallpaper, gypsum board, wood, etc.

Health Effects:

- **Allergen:**
  - These spores are very common in both indoor and outdoor air. They are small, foreign particles which may be inhaled deep into the respiratory system and may cause allergic responses.
  - In sensitive individuals, typically manifests Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)
- **Pathogen:**
  - Unknown
- **Toxins/Metabolites:**
  - Unknown

Founded in Samples(s)
AIR •O/S - Front Yard•Garage••••••••••••
Direct ••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary

Torula

Growth & Distribution

- Torula is a common mold with worldwide distribution. At least one species is thermophilic (thrives in high heat) (22).

- **Water Activity:** 0.80 (this is a generalized number for common molds)(26).
- **Outdoors**
  - Found in soil and dead or decaying plant matter (grasses, grains, woods, root vegetables). Can be pathogenic in plants (7).
- **Indoors**
  - Spores can be found indoors as a result of normal air exchange with the outdoor environment. Growth indoors is not common but can occur on damp, cellulosic materials such as wood, paper, and cardboard.
- **Health Effects:**
  - **Allergen:**
    - In sensitive individuals, typically manifests Type I or Type III hypersensitivity reactions. These include allergic asthma, conjunctivitis (redness of the eye), rhinitis (hay fever), anaphylaxis, angioedema (dermal swelling), urticarial (hives) or hypersensitivity pneumonitis & allergic sinusitis (Type III). (5)
  - **Pathogen:**
    - No known reports in humans
  - **Toxins/Metabolites:**
    - Cytotoxin (12)

Found in Sample(s)
AIR •O/S - Front Yard•Garage••••••••••••
DIRECT ••••••••••••••••

( ) List of references can be found at http://newtonlaboratory.com/glossary